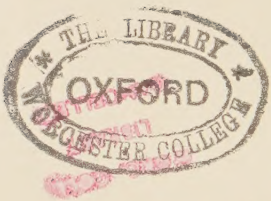
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Prejudice & Promise in XVth Century England

THE FORD LECTURES 1923–4

BY

C. L. KINGSFORD

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PREFACE

When I was invited at somewhat short notice to deliver the Ford Lectures in 1923 I was constrained to select such subjects as could be dealt with most readily in the time at my disposal. This will explain a certain discursiveness both in choice and treatment. But I had always before me two main ideas: the one, that the truth about Fifteenth-century England had been distorted through the prejudice of chroniclers and Tudor historians; the other, that the truth could only be discovered by the study from different sources of the Fifteenth Century as the seed-time of the future. The first Lecture deals with the prejudice generally, and the last with a conspicuous instance. The other four will serve jointly to illustrate the promise of the age as shown in the intellectual ferment, social growth, the spirit of adventure, and commercial enterprise. In these four Lectures I have sought deliberately for most of my material in less familiar and so far as possible unprinted sources. The Appendix includes a selection of the most important and interesting of the documents which furnish the principal source of the fourth Lecture.

The Map of London in the Fifteenth Century was designed primarily for the illustration of the fifth Lecture, but will I hope be of wider service. It is of necessity in some degree tentative, since the material on which it is based is perforce in part conjectural. The permanence of the London streets made it possible to adopt for the basis of this map the one drawn for my edition of Stow's

Survey of London; but for the sake of clearness on a reduced scale some of the less important streets have been omitted; there are also a few slight modifications where the Map in the *Survey* appeared to require correction. No attempt has been made to indicate the built-up area, for which purpose sufficiently authentic detail is not available. The most marked difference between Elizabethan and medieval London was due to the destruction of the religious houses. For the ground plans of some of the greater religious houses and also of some secular buildings trustworthy evidence (though in varying degrees) is available; in these cases, so far as the scale permits, an endeavour has been made to show their general character. In other instances it has not been possible to do more than indicate the probable area which was occupied; but that, and in some few cases even the precise position also, is more or less conjectural. It is of importance to show the ward boundaries and the positions of all the medieval churches; but in order to avoid cumbering the map with too many names the Wards have been numbered with Roman numerals, and the Churches with Arabic numerals; the latter are numbered separately under each Ward; the accompanying list of Wards and Churches will by this arrangement make reference easy.

C. L. KINGSFORD.

February 1925.

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I

FIFTEENTH-CENTURY HISTORY IN SHAKESPEARE'S PLAYS

The great Duke of Marlborough, when asked to give his authority for a statement which he had made, is said to have replied: 'Shakespeare, the only History of England I ever read.' Most people indeed, whether consciously or not, have derived their main ideas on English history in the fifteenth century from the historical plays of Shakespeare. The mould which has thus been given to popular opinion cannot be cast on one side, and therefore an examination of the process by which that mould was created becomes an almost essential preliminary to the study of the fifteenth century.

Shakespeare was, of course, not responsible for the basis of the presentment to which he gave immortal form. He was in his work limited by his environment, and was content to take his material as he found it. For the greater part of that material he went no farther afield than the Chronicle which bears the name of Raphael Holinshed; this he followed commonly with fidelity, though he fashioned it to his purpose by his dramatic art. It was on the second edition of Holinshed's Chronicle, which appeared in 1586, that Shakespeare depended. Like Holinshed's own original edition, this was after a modern fashion the work of a syndicate. But the authors, though far from being mere plagiarists, borrowed freely from the writings of their predecessors Edward Hall and John Stow. They excelled Hall in the extent of their researches and Stow in the literary form in which they presented them. But though they gathered

much that was new from Stow's sober history and from original sources, they grafted the whole on the stock which had been created by the prejudice of Hall.

Edward Hall, who was under fifty years of age when he died in 1547, was emphatically a man of the new era. He had sat in Parliament as a supporter of the political and religious policy of Henry VIII, and it was in this spirit that he composed his history, which he styled *The Union of the two Noble and Illustre Families of Lancaster and York*. 'What misery,' he writes, 'what murder, and what execrable plagues this famous region hath suffered by the division and dissension of the renowned houses of Lancaster and York my wit cannot comprehend nor my tongue declare. . . . What noble man liveth at this day, or what gentleman of any ancient stock or progeny is there whose lineage hath not been infested and plagued with this unnatural division?'[1] Yet whilst other sects and fashions flourished and continued, Hall rejoiced that the old divided controversy of Lancaster and York had been suspended in the person of their heir King Henry VIII, and was by him clearly buried and perpetually extinct. It was by such union and agreement that a region vexed by division had been relieved, pacified, and enriched. Thus Hall's Chronicle was intended deliberately to be a glorification of the House of Tudor, and its dramatic conception is revealed in its title.

A work written with such a purpose is coloured inevitably by its preconceptions, and Hall's Tudor and Protestant sympathies are shown when he writes of 'foolish and fantastical persons' as foretelling disaster to follow on the execution of Archbishop Scrope, or of 'proud priors and silly nuns' as opponents of the Lollard movement.[2] But those very prejudices and preconceptions gave his work a form and colour which enhanced its literary merit, and emphasized that unity of conception which is suggested in its title. To the writers of the sixteenth century the previous age loomed large, and

[1] *Chronicle*, p. 1. [2] *Ib.*, pp. 35, 49.

the cessation of domestic strife under the strong rule of the new monarchy seemed to be its essential conclusion.

Thus Hall's presentment of past history appealed naturally to those who came after him, and was embedded firmly in the opinion of the time. It inspired not only his successors like Holinshed, but also such works as *The Mirrour for Magistrates* and Samuel Daniel's *Civil Wars*. It culminated in the conception of dramatic unity which underlies the cycle of Shakespeare's 'Histories'. I do not, of course, intend to suggest that Shakespeare wrote with this idea definitely before him. The historical plays were not composed in chronological order, and Shakespeare was not entirely responsible for the three parts of *Henry VI*. But there the idea is: the downfall of Richard II, the troublous times of Henry IV, the glory of his son, the long struggle of Lancaster and York with its tragic conclusion form a single whole, to which the happy union of the rival houses (celebrated in the pageant of *Henry VIII*) furnishes a fitting crown.

If Hall was in a sense the creator of this conception of our fifteenth-century history, it was the genius of Shakespeare which gave it permanent place in our literature. Thus when we turn to test the truth of this conception, it is natural to do so through the medium of the dramatist. For this purpose I propose to pass the plays briefly in review, not dwelling overmuch on detail, but endeavouring to bring out the most salient features and to trace as far as necessary the history which they contain to its ultimate sources. With the literary genesis of the plays I shall not, except in a very minor degree, be concerned.

Earlier dramatists had found material in the reign of Richard II.[1] This may have influenced Shakespeare in confining his own tragedy to the downfall of the King. Hall had however in like manner begun his Chronicle at the same point, and in both cases the downfall of Richard II forms the natural prelude to what follows.

[1] *The Life and Death of Jack Straw*, 1587, and *The Tragedy of King Richard concluding the murder of the Duke of Gloucester at Calais*, 1591.

The action of *Richard II* is brief: it opens with the quarrel of Hereford and Norfolk and the scene in the lists at Coventry, and closes with the rebellion of the Earls and the death of the deposed King. Throughout the greater part of the play Shakespeare follows Holinshed very closely, though with some additions from Froissart, derived through the medium either of Berners's translation or of Samuel Daniel's *Civil Wars*, as in the reference to Bolingbroke's popularity with the Commons.[1] The part assigned to Richard's child-queen is, of course, unhistorical; but it is closely paralleled by a passage in Daniel's *Civil Wars*,[2] whence perhaps the idea that Isabel witnessed Richard's entry into London as a prisoner is derived. Unhistorical also is the introduction of Hotspur as a mere boy, to whom Bolingbroke was unknown, when as a matter of fact Percy was somewhat older than Henry IV and had been familiar with him from his youth. But such deviations from fact do not touch the essential history. They are legitimate creations of the poet's art; the former for its dramatic contrast, and the latter as foreshadowing the part which Hotspur is to play in *Henry IV* as the youthful rival of Henry of Monmouth. In its essence, however, the history given is true; and the restriction of the action enables the tragedy to be developed without any serious distortion of the facts.

Holinshed, whilst at times following Hall very closely and writing throughout on similar lines, added much from authorities like Walsingham and Froissart. The meeting of Henry with his supporters, and events at Berkely, do not appear in Hall's Chronicle, so the third scene of the second act is derived solely from Holinshed. Hall, besides the more ordinary sources, had used the *Traison et Mort du Roy Richard*, which he refers to as written by 'one who seemeth to have great knowledge of Richard's affairs'. Holinshed in addition cites

[1] See R. M. Smith, *Froissart and the English Chronicle Play*, chapter ix.
[2] Book II, stanzas 66–93.

Creton's poem as 'Master Dee's French book'.[1] From the former come the dubious incident of the speech on Richard's behalf by his one faithful friend the Bishop of Carlisle and the unauthenticated story of Richard's murder by Sir Piers of Exton,[2] both made familiar by Shakespeare. Thus the outlook of the play is not purely Lancastrian. It is also Yorkist sympathy which makes Hall, followed by Holinshed, give a favourable view of Edmund of York, the easy-going man of pleasure of whom Hardyng wrote:

> When all the lordes to councell and parlyament
> Went, he wolde to hunte and also to hawkyng.

Of Richard himself Hall wrote that his offence was more due to the frailty of youth than to the malice of his heart and cankerdness of his stomach. These judgements were adopted by Holinshed, and through him influenced Shakespeare. So in the play, where Richard remains the central figure, we have him presented in what seems his true character, full of strange contradictions of waywardness and self-control, with an impulsive disposition which was easily elated or depressed. But he is dignified in tragedy, and the almost frivolous levity with which he accepted his deposition is not allowed to mar the climax.

The two parts of *Henry IV* are centred round the battle of Shrewsbury and Archbishop Scrope's rebellion respectively, but by the exercise of some poetic licence all the main features of that 'scambling and unquiet time' are brought into dramatic perspective. *Richard II* had closed with Henry's vow to make a pilgrimage to the Holy Land in expiation for his cousin's death. The *First Part of Henry IV* opens on the same theme, to be rudely interrupted by the news of the Welsh revolt and of Mortimer's capture by Glendower. Simultaneously

[1] From Lambeth MS. 598, which belonged to John Dee. Creton's poem was printed in *Archaeologia*, xx.

[2] Which was also given inCaxton's *Polychronicon*.

comes the report of the victory at Homildon Hill. By Hotspur's success the King is moved to sorrow for the riot and dishonour that stained the brow of his young Harry, though his regret is tempered by anger at Percy's pride in keeping his prisoners to his own use. Thus we have at once forehadowed the central act of the play, the Tripartite Convention of Percy, Glendower, and Mortimer, with all that sprang from it, and its less historic contrast in the career of the wild young prince.

The wrath of the Percies, passionate, suspicious men with an exalted sense of their services, against the forgetful king on whose head they had set the crown, is dramatically correct, though it may not be a complete explanation of their motives. In the description of Edmund Mortimer as Earl of March, and as having been proclaimed heir-apparent by Richard II, Shakespeare was misled by Holinshed, who repeated the erroneous statements of Hall. But, as it happens, this error serves the dramatist well by emphasizing the part which the claim of Mortimer's nephew to the crown had in the confederacy. That claim, derived from Lionel of Clarence, passed of course to the House of York. The Tripartite Convention, which furnishes the scene in the Archdeacon's house at Bangor, was long known only through the account of it given by Hall and reproduced by Holinshed. Hall incorrectly placed it before the battle of Shrewsbury and represented it as concluded between Hotspur, Glendower, and Mortimer. The one contemporary chronicle [1] in which the convention is mentioned shows that it was the Earl of Northumberland and not his son who was a party to it, and assigns the date to February 1405; probably, as Dr. Wylie [2] argued, the true date may have been a year later. Again, however, the misleading of Shakespeare by his authorities does not affect the dramatic development of the play. The portents at Glendower's birth are taken from Holinshed, and the skimble-skamble stuff with which Glendower so vexed

[1] *Chron. Giles*, p. 39. [2] *Henry IV*, ii. 375.

Hotspur is explained by Hall's story of how March, Percy, and Glendower were made to believe by a Welsh prophecier that Henry IV was the mouldwarp upon whom the dragon from the north should wage war. In the account of the battle of Shrewsbury, Shakespeare, following Holinshed, adds a touch in the lines :

> And heaven forbid a shallow scratch should drive
> The prince of Wales from such a field as this.

It is an addition derived from the Translator of Livius, Hall having had no first-hand knowledge either of that work or its original.

Whilst the historical action of the *First Part of Henry IV* is thus direct and in its essential character true, it occupies only a little over one half of the play. The remainder is taken up with the career of the madcap prince and his boon companions. The Legend of Henry of Monmouth's youth is too large a subject to enter upon here, nor indeed is it strictly relevant to the present purpose.[1] But whatever basis of truth lies beneath them, the incidents which Shakespeare makes use of must belong to a later period than the battle of Shrewsbury. This is most marked in the second scene of the third act, when the Prince purges himself :

> As, in reproof of many tales devised—
> Which oft the ear of greatness needs must hear—
> By smiling pickthanks and base newsmongers.

To which the King in reply reminds him that :

> Thy place in council thou hast rudely lost
> Which by thy younger brother is supplied.

This is, of course, derived from the crisis of eight years later, and the dismissal of the Prince from the Council was due to other causes than his own wild conduct. Here I will only point out that in addition to Holinshed Shakespeare must have made use of the fuller narrative given by

[1] I have in part dealt with it in the Introduction to *The First English Life of Henry V.*

Stow, whether directly or through the medium of the earlier play *The Famous Victories of Henry V*. The main original source is 'The Translator of Livius'; but Shakespeare handled his material freely, and Falstaff is of course entirely a creation of his poetic art.

In the *First Part of Henry IV* there is a suggestion that Archbishop Scrope had been concerned in the plotting which led to the battle of Shrewsbury,[1] and the play closes with the sending of John of Lancaster

> To meet Northumberland and the prelate Scroop,
> Who, as we hear, are busily in arms.

Hardyng,[2] a retainer of the Percies, writing much later, claimed that the rising in 1403 was entered upon 'by the good advice and counsel of Master Richard Scrope'. But the archbishop does not seem to have given it any open support, and his own rebellion did not come till two years later. However, Shakespeare's device serves to link the two parts of *Henry IV* together.

Though Scrope's rebellion furnishes the tragedy of the *Second Part of Henry IV*, it actually occupies but a comparatively small portion of the play, of which again a large part has to do with Falstaff and the Prince. The action calls for little comment, save for the manner in which Northumberland's abortive move at the time of Shrewsbury and his flight into Scotland are joined as one whole with the archbishop's rising. It is of more interest to note Hall's comment:

> 'I will not forget how some foolish and fantasticall persons have written, how erroneous hypocrites and seditious asses have endited, how superstitious friars and malicious monks have declared and divulged, both contrary to God's doctrine, the honour of their prince and common known verity, that at the hour of the execution of this bishop . . . the King was stricken with leprosy.'[3]

He goes on to censure those beastly persons who, regarding not their bounden duty to their Prince, envied the punishment of traitors. Herein we have the voice of the

[1] Act I, sc. i. [2] Ed. Ellis, p. 351. [3] *Chronicle*, p. 35.

devoted servant of Henry VIII. Holinshed, omitting the comment, dwells rather on the love of the people for the archbishop, thus preferring the Yorkist opinion of Scrope as a martyr to the Tudor prejudice of Hall. In the play, perhaps from politic motives, Shakespeare omits all reference to the King's own part in this untoward affair, but, leaping forward eight years, makes Henry's fatal illness follow immediately on the news of the archbishop's execution. The famous story of the Prince taking the crown from his father's bedside comes through Holinshed and Hall from Monstrelet. It is unauthentic, but in the speech which Shakespeare puts into the mouth of the dying King there is an echo of that given by the Translator of Livius. A strong note is struck in the lines :

> Heaven knows, my son,
> By what by-paths and indirect crook'd ways
> I met this crown; and I myself know well
> How troublesome it sat upon my head;
> To thee it shall descend with better quiet,
> Better opinion, better confirmation;
> For all the soil of the achievement goes
> With me into the earth.

This marks the passing away of the evil that began in the lists at Coventry. The three plays in which this theme is treated form a continuous whole. Side by side with the tragedy has been developed the story of the madcap prince, which begins with Bolingbroke's lament for his unthrifty son in *Richard II* and ends with Henry V's dismissal of the unworthy companions of his youth in the last act of *Henry IV*. In Shakespeare, Henry of Monmouth from the start

> Will so offend to make offence a skill;
> Redeeming time when men think least I will.

So the Prince's change on his accession into a new man suddenly comes naturally, and the way is opened to the triumph of *Henry V*.

The story of the wild young prince is now laid aside, and

in its place we have presented to us the idealized picture of the medieval hero-king. Henry, inspired with high aims, becomes the embodiment of the purest patriotism. Glorious in war he is heaven's own instrument :

> O God thy arm was here,
> And not to us, but to thy arm alone
> Ascribe we all.

If he was terrible in his wrath it was because he expected in others the same devotion to duty which inspired himself. For him the pomp and gorgeous ceremony were but the burden that lay upon the King, keeping watch for the maintenance of his people's peace. Being free from vainness and self-glorious pride, he sought only the honour of England and the welfare of his soldiers and subjects. In such a king Elizabethan patriotism could find its ideal of a sovereign supreme in Church and State who ruled a willing people as a trust from God.

It is a glorified and purified Henry with whom Shakespeare has presented us as his ideal of English kinghood. The conception is, however, based on the official eulogy of Tito Livio in the dress given to it by his English translator. Even for small details we must go to that source, as in Henry's answer to the French herald : [1]

> I do not seek him now ;
> But would be willing to march on to Calais
> Without impeachment.

Or in the picture of the royal captain walking from watch to watch,[2] or in the King's brave reply to Westmoreland's lament : [3]

> If we are marked to die, we are enow
> To do our country loss ; and if to live,
> The fewer men the greater share of honour.

From the same source also may have come the tale of Henry's constancy in battle : [4]

> Upon his royal face there is no note
> How dread an army hath encompassed him.

[1] Act III, sc. vi ; *First English Life*, p. 48.
[2] Act IV, Chorus ; *ib.*, pp. 38, 87.
[3] Act IV, sc. iii ; *ib.*, p. 54. [4] Act IV, Chorus ; *ib.*, pp. 50, 54.

Stow had made the narrative of the Translator of Livius publicly known in his *Summary of English Chronicles* in 1570, and material from this source had been used in *The Famous Victories of Henry V*. With that early play, at all events, Shakespeare must have been familiar. It is however, as before, on Holinshed that he chiefly depends. Holinshed himself had made use of The Translator, but he was also acquainted with the original work of Tito Livio. Both from these and from other sources he adds much to the narrative given by Hall. All the material of the first act of *Henry V*, including the tennis-ball story, is to be found in Hall.[1] For the statement that the Lollards Bill of 1410 for the confiscation of Church property was revived at the Parliament of Leicester in 1414, Hall had Fabyan's authority; but the statement is not supported by the evidence of the *Rolls of Parliament*, and the terms of the original Bill are known only through one of the London Chronicles.[2] It was but a visionary project, though in Hall and in the play it becomes the reason which moved Chichele to stir up the King to war with France. This suggestion first appears in Caxton's *Chronicles*, reproducing a late version of the *Brut*,[3] when it is stated that the men of the spiritualty, doubting that the King would have had the temporalties out of their hands, encouraged Henry to challenge his right in France and so set him a work which would prevent him from entering on such matters.[3] This idea was developed by Hall, who found it agreeable to his own prejudices; but the long speeches which that writer puts into the mouths of Archbishop Chichele and the Duke of Exeter, supposed to have been delivered at Leicester, are entirely a fictitious creation of his own. There is no hint of any such proceedings in the official record of the Parliament, and, as a matter of fact, Chichele was not yet archbishop, nor did Thomas Beaufort become Duke of Exeter till over two years later. Thus the chief part of the first act

[1] *Chronicle*, 578. [2] *Chronicles of London*, pp. 65–8.
[3] *The Brut*, ed. Brie, p. 495.

of *Henry V* rests on an unsound basis; it is the most conspicuous instance of error in which Hall's methods and prejudices had so far involved him and his successors. This, however, does not affect the interest of the play, which comes in the later acts where Shakespeare's splendid idealization of the hero-king is developed.

To this point we have had to do with the work of Shakespeare's more mature years, when he was no longer content to furbish up the productions of inferior hands, and was untrammelled by any collaborator however gifted. It must be attributed to his own peculiar skill that in these plays he has given the history its correct logical development without any undue straining of facts or chronology. His material was no doubt on the whole good, but it was his native genius that enabled him to excel his authorities in the portrayal of the true essential character of the chief actors in the drama. Thus *Richard II* remains in a sense the best history of the reign which we possess, whilst in *Henry V* the idealized hero-king marks fitly the climax of Medievalism

With the *First Part of Henry VI* we come to matter of an entirely different quality. To that play it is doubtful whether Shakespeare contributed more than the scene of the Two Roses in the second act. The first act begins with the funeral of Henry V, which is interrupted by the news of the disaster before Orleans. Next we have the rivalry of Beaufort and Gloucester and the coming of the Maid. In the fourth act the coronation of Henry VI at Paris in 1431, the rivalry of Somerset and York, and the defeat and death of Talbot in 1453 are all jumbled together. The last act deals mainly with the truce and marriage of 1445, but in the midst is interposed the death of the Maid. In this chaos of inconsequence we miss the presence of the master hand, and from such disorder we cannot expect to extract true history. But there are some points which should be noted as illustrating the attitude of the writers of the sixteenth century. In the rivalry of Beaufort and Gloucester one might almost

say the parts had been transposed; the former appearing as the ambitious and self-seeking prelate, the latter as the true and loyal adviser of the King. 'The crude and hateful handling of Joan of Arc'[1] is derived from the unfair narrative of the Burgundian Monstrelet; Hall reproduced it with gross prejudice, which is only partially toned down by Holinshed. English chronicles of contemporary date contain no more than the bald reference to the Pucelle de Dieu as a false witch through whose power the Dauphin's party trusted to have conquered again all France, for they held her for a prophetess and a worthy goddess.[2]

In the action of the *Second Part of Henry VI*, which extends from 1440 to 1455, there is a certain unity in the natural development of events. It deals with three main subjects: the quarrels of the nobles leading to the fall and murder of Gloucester; the unrighteous passion of the Queen—the terrible Margaret of Anjou—and her lover Suffolk, with Suffolk's murder by pirates; and last, Cade's insurrection concluding with the first battle of St. Albans. Many of the raw facts, as the stories of Eleanor and her accomplices, of the armourer and his man, and of Cade's rebellion, come from the *Chronicles of London*,[3] of course through the medium of Holinshed. They are not more strained than the needs of the play require. Though the close connexion of Eleanor Cobham with her husband's downfall is not historically accurate, the true sequence is on the whole well maintained. It is rather in the interpretation of the facts and the characterization of the chief actors that we find room for criticism. Here we encounter for the first time the full force of Yorkist misrepresentation and Tudor prejudice.

It is Hall who is chiefly responsible for the distortion of history which is reproduced in the play. He adopts the myth of the good Duke Humphrey as the ideal prince, which after doing service in Yorkist propaganda

[1] Dowden. [2] *Chronicles of London*, p. 133.
[3] *Ib.*, 149, 154, 158–62; *Gregory's Chronicle*, 187, 189–94.

had been accepted as part of the Tudor tradition. Henry VI had, Hall writes, been guided by the wise counsel of his uncle till his marriage; but Humphrey's wisdom helped him little, and his truth was of small avail, for all indifferent persons knew that he died no natural death. Beaufort was "in covetise insatiable", preferring money before friendship. Margaret was a woman of great wit and of a high stomach, whose breath ruled and whose word was obeyed above the King and his Council. But she was likewise 'this cankered worm and pestiferous cockatrice'. Suffolk was not merely Margaret's evil genius but 'the Queen's darling', whom she entirely loved.

All this tissue of misrepresentation is reproduced in the plays. The germ of it is to be found in the words of a Yorkist chronicler, who writes of the wedding of Henry VI to Margaret as 'a dear marriage for England'; because of which 'what loss hath the realm of England had, by losing of Normandy and Guienne, by division of the realm, the rebelling of commons against the princes and lords; what division against the lords! what murder and slaying of them! what fields fought and made!'[1] To the same writer Humphrey of Gloucester is a noble man and a great clerk, who had worshipfully ruled the realm, and never could be found fault in him. Suffolk, by bringing about the marriage of Margaret, had caused the loss of Normandy, and his own end was the reward for the death of the good duke. Margaret ruled all about the King, who was a good, simple, innocent man.

In Tudor opinion Henry was accepted as the saintly king of Lancastrian tradition. That in the main is the Henry of Shakespeare's plays, the holy King, the gentle, mild and virtuous prince with a horror for bloodshed, who thought

> It were a happy life
> To be no better than a homely swain.

[1] *Brut*, p. 512.

Still there is an occasional touch of Yorkist opinion in such references as ' the base, fearful and despairing Henry, the faint-hearted and degenerate King '. Margaret, the she-wolf of France, with a tiger's heart wrapped in a woman's hide, is represented as savage and implacable throughout, till at the last she appears as the prophetess of vengeance to fall on Richard of Gloucester. No later English writer felt any call to be her defender, and the story of her guilty love for Suffolk was a Tudor fabrication. When she came to England she was but a girl of fifteen, and though she was to prove herself a masterful woman, her real activity in politics did not begin till after Suffolk's death. Suffolk himself has had to pay penalty for the fact that his grandsons incurred the enmity of Henry VIII. To his true character and the causes of his fall I shall return later.[1]

The Second and Third Parts of *Henry VI* were both revisions of earlier plays made by Shakespeare and Marlowe in collaboration. The latter was to become the prelude to Shakespeare's own great tragedy of *Richard III*. The Third Part opens with the Parliament of 1460, as though it followed immediately on the first battle of St. Albans. The first two acts are centred round the battles of Wakefield and Towton. The third and fourth acts have to do with the wooing of Elizabeth Woodville, the breaking of the French match, the quarrel with Warwick, and the Lancastrian restoration. The fifth act has for subject the ruin of the Lancastrian cause at Tewkesbury and the murder of Henry VI. The theme of the first two Parts had been the growing evils of Lancastrian rule; that of the Third Part is its consequent downfall. In its broad features—that Edward owed his crown to Warwick, that the marriage with Elizabeth Woodville frustrated Warwick's French policy, and that Tewkesbury was as well the personal triumph of Edward IV as that of his dynasty—the play gives the true dramatic development. The needs of the stage may account for the passing over of much that

[1] See pp. 146–76 below.

happened between 1460 and 1470, though in the first scene of the fourth act we get a suggestion of Edward's endeavour to create an official party hostile to Warwick. But the historical drama is subordinated to the unhistorical beginnings of a greater tragedy, and as a consequence there is intermingled in the play much false history. The central figure is Richard of Gloucester, the crook-backed prodigy scheming for the crown, and devoid of all natural affection. In this respect the play is of course hopelessly unhistoric, though in a literary sense it becomes the necessary prelude to the culminating tragedy of *Richard III*. Richard appears in the play as a sharer in the battles of 1460 and 1461, though in fact he was a mere child who had been sent in haste for safety to Flanders. His real part in politics did not begin till ten years later, and then he showed himself the loyal helper of his brother.

The crux in Richard's character is the contrast between the means by which he won and kept the crown and the good qualities which had earned him a not undeserved popularity in his earlier years. In the play that difficulty is evaded by the consistent development of a sinister figure. After Towton he is the merciless spokesman for revenge, and ten years later he is the prime agent in the murders of the young Prince Edward after Tewkesbury and of Henry VI in the Tower. The balance of historical evidence indicates that Edward was slain in fair fight, wilfully perhaps, but not so far as is known by Richard. For Henry's fate there is room for just suspicion ; Richard was certainly present at the Tower on the night of the unhappy king's death, and a recent investigation of Henry's remains suggests that he was murdered.[1] The narrative in the play comes through Hall and Holinshed from Polydore Vergil, who wrote in the reign of Henry VII under the influence of Tudor prejudice. Polydore claimed to have obtained information from those who had been employed in important public affairs, but his informants were naturally people favour-

[1] *Archaeologia*, lxii. 536–7, 541.

able to the ruling dynasty, and the accuracy of material derived from such sources must be discounted. A minor detail for which Polydore is responsible is the scene descriptive of the meeting between Henry VI and the future Henry VII; here it is not impossible that he wrote truthfully of what he had heard from the latter king himself.

The key to *Richard III* is given in the first scene, when Gloucester declares that since he can by reason of his deformity have no share in idle pleasures, he is determined to prove the villain:

> Plots have I laid, inductions dangerous,
> By drunken prophecies, libels, and dreams,
> To set my brother Clarence and the King
> In deadly hate the one against the other.

If his schemes failed not the death of Clarence was certain, and since the King was so sickly that he could not live long, the world would soon be left for him to bustle in. Thus the whole play works up to the final tragedy.

More, writing long after, reports that some believed that Richard of Gloucester had covertly helped Clarence to his death, and that he had looked forward to succeed Edward as king. It is true that Richard and Clarence were long at enmity, but there is no evidence that would relieve Edward of the responsibility for his brother's death. The reports repeated by More will, however, have supplied Shakespeare with the contrary opinion, and the tales of prophecies and dreams given by Polydore Vergil furnish details. Otherwise, almost the whole of the first act, with its dramatic introductions of Anne Neville and Margaret of Anjou, is entirely unhistorical, though essential in the play to the development of Richard's character.

For the reign of Richard III all the English writers of the sixteenth century followed closely the History commonly attributed to Sir Thomas More, and when that work failed adopted for the most part the narrative of Polydore Vergil. Both More (if he was the author) and Polydore wrote of course with prejudice, and if their

sources of information were good they were manifestly not impartial. If for this reason we must to some degree extenuate their crushing condemnation of Richard III, all the repeated attempts to whitewash him have broken down, and in its broad features the traditional opinion must stand. The problem of his character is not so difficult if we recognize in him not the consistent monster of the tragedy, but a typical man in an age of strange contradictions, of culture combined with cruelty, and of an emotional temper that was capable of high ends but unscrupulous of means.

As the earlier series of plays had led up to Henry V as the idealized hero-king, so the latter series culminates in Richard as the evil offspring and flower of the long and cruel civil war. There is an element of historic truth in the contrast, as an epitome of the age which witnessed the passage from medievalism to the modern world. The one sums up all that was best in the old order, the other is a by-product thrown up by the forces of disintegration which were working to create the new. The contrast heightens the evolution of the tragedy which in the unity of Shakespeare's plays imparts a certain majestic grandeur to the age. But the historian is not concerned with tragedy except in so far as it may contain the essence of his theme. The tragedy of Lancaster and York is not the essence of the age, unless we could take the ancient line of the Plantagenets as symbolical of medievalism and find in the dynastic struggle of Lancaster and York the conflict of the old and new forces. To do so would, however, require a straining of facts, which when viewed at close quarters are not capable of any construction which involves the development of a continuous principle. It is due to the lack of any such principle that the stigma of futility has with some justice been applied to the fifteenth century in English history. Futile it certainly was if we regard only its politics and the chief actors in them. Futile also it is if we look only to the picture presented to us by the chronicles of the

time. Both politicians and chroniclers clung naturally to the traditions of the past, and in so far as they understood what was happening about them were rather appalled at the visible destruction than hopeful of the uncertain prospect of a better future.

Hall and his successors, whose interpretation of fifteenth-century history has been so firmly implanted in our literature, were in little better case than their predecessors. They were still too near to see events in their true perspective, and for the narratives of former writers (on whom they were of necessity dependent for their facts) they had no better check than their own prejudices and preconceptions. The older chroniclers themselves, though still indispensable as contemporary records of opinion and events, are but inefficient guides, and to most of them we shall look for considered judgements in vain. The majority of them are void of any literary merit; and the exceptions, like Tito Livio's *Life of Henry V* or still more the continuation of the *Croyland Chronicle*, are rather to be noted as symptomatic of coming change than as characteristic of their own time. For the literary historian the chronicles of the fifteenth century have, it is true, a certain interest, in so far as we can trace in them the gradual process of development. At the beginning of the century contemporary historians and chroniclers preserve, if in decay, the characteristics of the past. For the most part they are monastic, writing from a narrow point of view, in Latin, and for a limited circle of readers. The middle period of disintegration is marked by the broken and fragmentary character of such chronicles as were composed. At the close we are on the threshold of a new epoch. Our historians are beginning to put on a modern dress; they write, if with prejudice, yet from a broader and more national standpoint; they use most commonly the language of the people; and they appeal deliberately to a popular audience. The development was of course no sudden thing. It was going on throughout the whole century, and it was very far from

complete at its close. There is a like quality to be found in the politics of the age, in which we pass from the worn-out principles of medievalism through a period of disorder to the beginnings of the new monarchy. That the chronicles and politics of the fifteenth century should thus partake of the character of the age as a period of transition is natural; but from neither can we derive an adequate picture of its more essential qualities.

The violence and disorder incidental to the breakdown of medievalism were but a superficial feature which confounded the politics and confused the chronicles of the time. Underneath it all there went on silently that steady growth of national consciousness which is the real quality of fifteenth-century England. The destruction of the old monarchy and the feudal nobility was only the crudest instance of a transformation which extended throughout the whole sphere of the nation's life. The political change which it helped to bring to pass was in truth no more than the instrument through which the greater intellectual and social forces were set to work.

A writer[1] of the present time has well observed: 'There are ages of sowing and ages of reaping: the brilliant epochs may be those in which spiritual wealth is squandered; the epochs of apparent decline may be those in which the race is recuperating after an exhausting effort.' The fifteenth century in England was certainly not a brilliant epoch; but it has an enduring attraction as the seed-time in which we can trace the birth and growth of those mighty forces which were to make the next age so memorable. If we are to understand the religious side of the Reformation we must not overlook the persistence of Lollard opinion throughout the fifteenth century, nor the simultaneous decay which had overtaken the spirit of medieval monasticism. If it is the intellectual achievement of the Elizabethan age which attracts us, we must not suppose that there was an unbridged gap between Chaucer and Spenser; though, with the exception of

[1] Dean Inge, *Outspoken Essays*, p. 33.

Malory, there is no great literary name in the fifteenth century, that age was not barren; it does not go for nothing that with its earliest years English began to be the common medium of written intercourse, or that then for the first time narratives written in English, crude in form it is true, take rank amongst the most important original sources of our history. If we would consider the revival of letters in a narrower sense, we must still have regard to the educational ferment which marked the reign of Henry VI, and the zeal for learning which sent a succession of English scholars to study in Italy; still further, at the end of the age the introduction of printing became a factor of the first importance. On a more material side it was the vigorous town life and growing importance and enterprise of the mercantile class during the fifteenth century that made it possible for the next age to lay the foundations of a world-wide commerce.

From this point of view the study of fifteenth-century history in England is far from futile, and however much the chronicles may fail us, we have no lack of material for the study of social and economic history. Official documents, more especially such records as Chancery Proceedings and Plea Rolls; the muniments of boroughs and City Companies; the letters, deeds, and wills of private individuals: all these furnish us with a mass of material which is still only in part explored. It is not, I think, an exaggeration to say that in volume and variety such sources for our fifteenth-century history far excel those of any previous age. Chroniclers and later historians, absorbed in the sordid politics of the time, have shrouded it in a veil of prejudice which has obscured its real character. It is only when we turn to records set down without any ulterior motive, and come face to face with the life of the people, that we can discover the truth and discern the promise of the fifteenth century in England.

II

ENGLISH LETTERS AND THE INTELLECTUAL FERMENT

Amongst the subordinate sources for the history of the fifteenth century, the letters written in English by private individuals hold the foremost place. Apart from their own intrinsic interest and value, a peculiar significance attaches to the appearance for the first time of such a contribution to the raw material of our history. Those private letters of an earlier date which have been preserved are commonly of a formal character and were very generally written by a professional scribe on behalf of the sender. For these reasons, and also because they are written, not in the native English speech but in French or Latin, we miss in them almost all of that personal touch which makes the English letters of the fifteenth century so invaluable.

The times and circumstances under which the use of English in private letters first became common is thus a matter which deserves consideration. There are, of course, instances of the use of English in documents of various kinds at an earlier date than 1400. But until quite recently there was, I believe, no known example of a private letter in English to which it would have been safe to assign such a date. Mr. A. H. Thomas had lately the good fortune to find, amongst the Records under his charge at the Guildhall in London, copies made in 1411 of two letters written to one Thomas Cogesale by Sir John Hawkwood from Florence in the winter of 1392–3.[1] Apart from the personality of the writer, the letters are in themselves of no great interest; but since the

[1] They have been printed in the *London Topographical Record*, xiii, p. 11, in an article on the history of the Leadenhall, which they happen to illustrate.

first of them is the oldest known letter in English and is very brief, I will quote it in full :

'Dere. S. I grete you wel and do you to wytyn þ^t at the makyng of þis lettre I was in good poynt I thank God. I send Johan Sampson bryngere of þis lettere to you enformed of certeyn thyngys quiche he schal tellyn you of mouthe. Qwerfore I preye you þat ye levyn hym as my persone. Wrytyn at Florence þ^e viij day of Novembre. John Haukwode, chivaler.'

The other letter, which is clearly the later, is dated more precisely 'þe xx day of Feverer þe yer of our lord Mccclxxxxiij'. Accompanying the copies of the letters is a copy of an indenture, also in English, dated 20th April 'the yere of our Lord Kyng Richard xvj^e' [1393], and made between Cogesale and John Sampson on Hawkwood's behalf. It is, of course, impossible to be certain that the letters were written by Hawkwood himself, though if that is not the case they were no doubt dictated by him, and the form of the letters suggests that the use of English for such a purpose was not unfamiliar to the writer. It is therefore possible that still earlier letters may yet be found.

The next English letters in point of time are the two which passed between Reginald Grey of Ruthyn and Gryffyth ap David 'the strengest thiefe of Wales'; these, though undated, can be assigned certainly to July 1400.[1] There are a few other English letters which belong to the reign of Henry IV, but since the official letters written from Wales on behalf of Henry of Monmouth are in French, it is safe to assume that the use of English was still the exception. Henry V himself could and did write well in English, as is shown by his note on a State paper :[2] 'For the secretnes of this matter I have written this instruction with my own hand and sealed it with my signet of the eagle'; as also by his own other autograph letters which have survived. The letters which Henry V wrote to the City of London, and the City's replies, form

[1] Ellis, *Original Letters*, 2nd series, i. 5.

[2] *Foedera*, ix. 427–30.

perhaps the oldest connected series of English letters which has been preserved.[1] The earliest of Henry's own letters is dated 9th August 1417, and announces the surrender of Touques. There are other letters of the same period, like the one which a soldier in the English Army wrote to his friends at home, describing the abortive negotiations near Evreux in March 1419, and ending with a prayer that 'we may come soon out of this unlusty soldier's life into the life of England'.[2]

The increasing use of English at this time is illustrated by the copies of letters contained in the *Ordinances and Proceedings of the Privy Council*; for the reign of Henry IV nearly all the letters are in French and only one in English; under Henry V the English letters are about equal in number to those in French; under Henry VI letters in French are the exception. In the *Stonor Letters* the earliest English example belongs to 1420, and there are six others within the next ten years; whilst there are no French letters of the fifteenth century. In the *Paston Letters* the first letter in English is dated in 1424; with the exception of one from the bailiff and jurats of Jersey in 1447 there is no French letter of later date than 1426.[3] The evidence afforded in other quarters is of a like character; at the beginning of the century French was still common but went gradually out of use, so that before the middle of the reign of Henry VI it is safe to assert that English had become the ordinary medium for private correspondence.

The same process of change may be traced in documents of a different kind. The earliest known English will was

[1] Sharpe, *London and the Kingdom*, iii. 359–67; Riley, *Memorials of London*, 654, 658, 664, 674.

[2] Ellis, *Original Letters*, 2nd series, i. 77. There are two other private letters of similar date and character in the *Foedera*, ix. 779 and 911. A letter in the *Second Report of the Royal Commission on Historical MSS.*, p. 94, was assigned to the same date, on the strength of a reference to Agincourt. But it clearly belongs to 1475, when Edward IV halted two nights at Agincourt. English official letters are more numerous.

[3] *Paston Letters*, ii, pp. 25, 31, 78.

made in 1387;[1] the number of English wills gradually increases until by the close of the fifteenth century they are by no means uncommon. Deeds in English of earlier date than 1400 are very rare, but again increase steadily in numbers. *Chancery Proceedings* were generally in French till well into the reign of Henry VI; but from about that time French begins to disappear, and within a few years English has entirely taken its place.[2] In legal documents, as one might expect, the force of tradition is strongest, and the process of change began somewhat later and developed more slowly. In the *Letter-Books* of the City of London, on the other hand, we find a proclamation in English as early as 1383,[3] and there are occasional English documents during the next thirty years. French was, however, more usual at this time. But from about 1416 onwards English documents are of common occurrence, and French was apparently used only when there was some special reason, as in an acquittance to French merchants, the latest French instance being in 1431.[4]

It is of some importance to have marked clearly the period during which English came into common use as the medium for letters and other documents. The period is, of course, one which witnessed the revival of literary English, and that is a factor which we must take into account. But that revival was itself an outcome of the growing sense of national self-consciousness. To that sense the victory of Agincourt was a great stimulus, and it was during the years that followed immediately thereafter that the native speech established itself as the natural medium of written intercourse for Englishmen. But before dealing further with the historical significance of the use of English I will turn to the character and quality of the letters themselves.

[1] *Commissary of London*, Courtney, f. 198—the will of Robert Corn, citizen of London. See *The Fifty Earliest English Wills* (E. E. T. S.).

[2] There are some English instances in the reign of Henry V. For one in 1430, see p. 88 below.

[3] Riley, *Memorials*, p. 480.

[4] *Letter-Book*, K, p. 121; acquittance to Jaques Chabot of Amiens.

The early discovery and long repute of the *Paston Letters* has caused them to be sometimes regarded as though they had been a unique phenomenon rather than a happy survival. They may indeed be described as a happy survival in more senses than one; for the circumstances and history of the Paston family were such as to give their private correspondence a value and importance which it is unlikely that many other collections, had they been preserved, could have equalled. The interest of the Paston family in Sir John Fastolfe's affairs involved them in disputes with powerful neighbours, and as a consequence entangled them in the politics of the time. Moreover, John Paston the elder seems to have followed closely the course of political events, whilst his sons went to Court, made friends in high places, and concerned themselves in State affairs. This will account for the importance which the *Paston Letters* have for political history, and for the not infrequent presence amongst them of letters written definitely for the purpose of conveying news of the events of the day. But that was not, I think, a common characteristic of the private correspondence of the fifteenth century. In the *Stonor Letters* there are only a few of definite interest for public affairs, though incidental allusions are more numerous. The *Plumpton Correspondence* is, for the period with which we are concerned, of much less importance but of a like quality. In the *Cely Papers* the prime interest is naturally commercial, and though 'tidings' of State affairs and casual references to political events occur fairly often, there is amongst the printed letters only one document, of apparently intentional obscurity, which deals directly with the events of the time; amongst the unprinted letters there are one or two more of no outstanding importance. Probably the avoidance of political comment was often intentional, since information on public affairs could be sent more safely by word of mouth. So Richard Page writes to Sir William Stonor, 'As for news I have told this bearer to inform you'; but adds, 'I fear

me he cannot well show them to your mastership'.[1] On the other hand, there are a not inconsiderable number of isolated letters written by persons of rank, and also sometimes by humble individuals, which were clearly intended to convey public news, and may owe their preservation to their intrinsic interest.[2]

Apart from such instances, the prevailing interest of the private correspondence of the fifteenth century is the illustration of social life. It is that, after all, which gives even the *Paston Letters* their ultimate quality. It must, however, be remembered that when letters were difficult of conveyance they were not written on trivial occasions or for the mere purpose of exchanging gossip. As a rule they were concerned with business, or with urgent family affairs; it is this, no doubt, which in part explains the prominence of litigation in almost all the correspondence of the time. It is only incidentally that allusions to other matters come in, as when Elizabeth Stonor describes how she had gone to Court with the Duchess of Suffolk:

> 'I waited upon her to my lady, the King's mother and hers, by her commandment. And also upon Saturday last I waited upon my lady her mother, and brought her to Greenwich to the King's good grace and the Queen's. And there I saw the meeting between the King and my lady his mother. Truly me thought it was a very good sight.'[3]

It is in such touches as this that much of the interest of private letters of a later date consists, but in letters of the fifteenth century they are rare. Not but what correspondents were glad to get news; and Richard Cely in 1476, after sending his brother a variety of news including gossip and chitchat as to how he had seen three great harts in the wheat and heard a pheasant cock crow, concludes thus: 'I write to you of all things, as well of japes as sad matters, like as I promised.' In the same letter he sends

[1] *Stonor Letters*, ii, p. 142.

[2] The small collection of Vernon Letters in the *Rutland Papers* is an instance.

[3] *Stonor Letters*, ii. 14.

a message from his father asking for news of how our ambassadors had fared with the Duke of Burgundy.[1] That would, however, come under the head of 'sad matters'; and sad, that is to say serious, matters formed the staple of fifteenth-century private correspondence.

In letters written at such a time we do not look for evidence of any literary quality. It is indeed in their freedom from effort and spontaneity that their chief charm is to be found. But qualities of another kind are not lacking. For dignity, both of word and of thought, it would be hard to excel the noble letter of farewell which the Duke of Suffolk wrote to his son.[2] There is real pathos also in 'the little bill so washed with sorrowful tears that hardly ye shall read it', in which William Lomnour sent news of the Duke's murder.[3] In other letters a different note is struck, and the younger John Paston and his brother wrote to one another in sprightly fashion: 'Sir James is ever chopping at me . . . but when he hath most unfitting words to me I smile a little and tell him it is good hearing of these old tales.'[4] So also Thomas Stonor could make a jest that he was great with the King, for he had come up to London by Letter of Privy Seal.[5] But of all letters of the fifteenth century there is perhaps none which can equal the tender playfulness of that which Thomas Betson wrote to his intended child-bride; bidding her to be a good eater of her meat that she might grow fast to be a woman, and to greet well his horse and pray him to give her four of his years to help her withal:

'and I will at my coming home give him four of my years and four horse loaves to make amends. . . . And Allmighty Jesu make you a good woman and send you alway many good years and long to live in health and virtue to his pleasure. Written at Calais on this side the sea, the first day of June, when every man was gone to his dinner, and the clock smote noon and all our household cried after me and bade me come down. Come down to dinner at once! And what answer I gave them ye know it of old.'[6]

[1] *Ancient Correspondence*, lix. 38.
[2] See p. 172 below.
[3] *Paston Letters*, ii, p. 146.
[4] *Ib.*, v, p. 153.
[5] *Stonor Letters*, i. 156.
[6] *Ib.* ii. 6–8.

There is a modernity of idea and phrase in this last letter which strikes the reader with a certain surprise. This familiar modernity is found elsewhere in such touches as Margaret Paston's message to her husband that he will get the stuff for the child's gown cheapest at Hay's wife.[1] Or in Jane Stonor's remark that she would 'rather break up household than take sojournants, for servants be not so diligent as they were wont to be'.[2] Or again, in William Harleston's advice to his nephew: 'Do not overwish you, nor over-purchase you, nor over-build you; for these three things will pluck a young man right low. . . . It is told me you do make a fair new garden, in the which I pray you for my sake to put two herbs, the which be Patience and Thyme.'[3] Or on a very different matter in a story in one of the unpublished *Cely Papers* of how the married merchants at Calais challenged their good friends the bachelors to a shooting match of twelve a side at a range of thirteen score yards, the losers to pay for a dinner at 12*d.* a head.[4]

The fifteenth century and its politics are to us remote, but when we are thus brought in contact with the everlasting element of common humanity we begin to understand the past. Identity in difference and difference in identity might be described as two of the chief problems for the historian. It is easier to see the difference than

[1] *Paston Letters*, ii. 102. [2] *Stonor Letters*, i. 110. [3] *Ib.* ii. 98, 99.

[4] *Ancient Correspondence*, lix. 47:

'And it wold plese yow for your dysport and plesur opon Thursday next comynge to meye w^t^ vs of the Est syde of thys towne in a place called the Pane, ȝe shall fynde a pere of prykes of lenght betwex the on and the other xiij^xx^ tayllyors yardes met owt w^t^ a lyne. Ther we vndyr wretyn shall meye w^t^ alls many of yow or dye, and shot w^t^ yow at the same prykes for a dyner or a supper per xij*d.* a man. And we pray yow of your goodly answher w^t^ in xxiiij owres. Wretyn at Cales the xvij day of August, An^o^ gratie lxxviij.

Redy to dysport w^t^ yow

weddyd men { Robert Adlyn and 11 others.

To oure welbeloved good frendys Thomas Wryght and all other Bachelers being freemen of the Staple be this delyuered.'

the identity; but without a sense of the latter all study of history, whether political or social, is vain.

On the value of the printed collections for social history there is no need further to dilate. But it must not be supposed that they stand alone. Numerous English letters of the fifteenth century are to be found in various quarters, though there is no collection which could rival these great ones of which I have just been speaking. Nevertheless it is not impossible that some unexpected treasure may yet lie hidden in a private muniment room. Even at the British Museum there are still some unprinted English letters of the fifteenth century, and at the Public Record Office there are a great number, some of which have only recently been brought to light.

The volumes of *Ancient Correspondence* include some four hundred English letters which have not been printed, and are for the most part but imperfectly calendared. It was from this source that many of the most interesting letters in collections like that of Ellis were derived. Most of the official letters have by such means been printed; but there still remain numerous letters of Privy Seal of no particular importance, together with a small number of official letters of greater interest. There are also occasional private letters which have to do directly with public affairs. These latter are sometimes of value as throwing a little new light on obscure incidents.[1] The greatest interest is, however, to be found in letters of a purely private character.

Most of the private letters in the series of *Ancient Correspondence* probably found their way into the public records as exhibits in Chancery suits. In the case of the *Stonor Letters* I conjectured that they might have been seized at the time of Sir William Stonor's attainder, since the existing correspondence comes to an abrupt end at that point; but a subsequent discovery suggests that

[1] Like the letter about events at Calais in June 1460, see *English Historical Review*, xxxvii. 544–6.

they were probably an exhibit in an action as to the family inheritance between Sir William's daughter and heiress and her uncle Thomas in 1500. Two great chests with evidences were then deposited by the order of the Court with the Prior of the Black Friars at London; twelve years later both parties were endeavouring to have the chests delivered to them, but apparently without success.[1] The *Cely Papers* were in like manner an exhibit in a suit brought by the widow of Richard Cely against the executors of George Cely for the recovery of her husband's share in their business.[2] Both these collections have suffered from the unfortunate system adopted in the last century of arranging documents according to their character, as *Correspondence*, *Deeds*, *Rentals*, and so forth, with little regard to their provenance. As an indirect result of this, some documents for the time went astray and many were laid aside as of little value. There are nearly fifty Cely letters[3] and a great number of accounts and miscellaneous documents which were not available when Mr. Malden published his volume of selections twenty years ago. Of the *Stonor Letters and Papers* over sixty fresh documents have come to light in the last five years. The Cely and Stonor Collections are large, and numerous clues made the task of restoring them to their entirety comparatively easy. But in the case of smaller collections it is difficult to trace the component parts; though since so much of the interest and value of such material depends on the possession of a consecutive series with some sort of connected story, they cannot be made fully serviceable till this has been done. The most considerable series seems to have consisted of correspondence belonging to the Earls of Ormonde; of these many relate to the reign of Henry VII, and the majority are concerned with Irish affairs; in their own way they are of interest and importance, but since they are not

[1] See *Camden Miscellany*, xiii; *Supplementary Stonor Papers*, p. 6.
[2] *Early Chancery Proceedings*, 194/17.
[3] Now in *Ancient Correspondence*, lix.

directly relevant to my present purpose I will pass them by.

Several smaller collections can be traced. One of the larger may be taken as a specimen. It consists of fifteen letters, and about as many deeds and other documents, which belonged to one William Marchall. Marchall was by profession a clerk in the Chancery at London, but had property at Standlake and Woodstock in Oxfordshire. After his death, probably about 1470, his son Thomas brought an action against his father's feoffees, and the papers were no doubt an exhibit in the suit.[1] Though Marchall was a man of some property, his family was clearly not one of any social importance, and certainly not to be compared with either the Stonors or the Pastons. The little collection of his papers is thus the more interesting as an illustration of domestic life in a comparatively humble sphere. Most of the letters were written to Marchall by brothers and friends, and have to do with family affairs and the management of his property. With the exception of one, which comes from a working smith and was probably written for him, they are all, I think, autograph. The best of Marchall's correspondents was one Thomas Makyn, who apparently acted as Marchall's agent in Oxfordshire. One of Makyn's letters (written apparently about 1465) is of outstanding interest for its illustration of social life, and I will, therefore, give its substance at length.[2]

Makyn states in this letter that he had written three times to Marchall as to the building of his chamber ' and certain matters that now be not all in mind '.[3] He had trusted two of them to William's brother Thomas, who promised to deliver them ; if Thomas had failed ' he shall receive no more letters of my hands these twenty years '. As for the building of the chamber, two carpenters had

[1] *Early Chancery Proceedings*, 34/125.

[2] *Ancient Correspondence*, xlvi. 263.

[3] This recital of previous letters was a common characteristic till a much later date—no doubt as a precaution against miscarriage.

been working continually for seven weeks since Michaelmas, and for three weeks past had wrought by candlelight evening and morning in one of the wool-houses; they had framed half the chamber floor and all the chief work of the jetty with goodly windows in two bays; the principal timbers were true heart of oak, and the rafters of elm; 'doubt you not your chamber floor shall be strong enough and ye shall couch pipes of wine thereon, and then ye shall not bend it with dancing lightly'; of course Makyn meant you shall not easily bend it with dancing heavily. Marchall had wanted the chamber finished by Christmas, perhaps to give his dance, but Makyn thought it would be well to wait to finish the work when the short winter-days began to lengthen out. However, Makyn could not get the work done without money, and that was the chief reason for his letter. He had written for money by a parson of Gloucestershire, who called himself a priest of my Lord's chapel of Canterbury and said he knew William Marchall well. On this tale the priest had got a night's lodging out of Makyn; but one must suspect, as Makyn clearly did, that he was a lying rogue. This last letter Makyn sent by the Oxford carrier, by whom he desired Marchall to send back 40*s*. However, he was not too trustful of such a conveyance, so he bade Marchall 'buy a pound of powdered pepper to carry the money privily or else two pounds of rice, for that makes great bulk'. Whether this simple device was successful we do not learn, but it is in such homely touches that we come to close quarters with the life of the time.

We are so accustomed to think of the middle fifteenth century as a period of wild political disorder that it is with a sense of surprise that we find people going quietly about their business and dancing, and that if means of communication were hazardous and difficult they were not altogether fortuitous. In the *Paston Letters* local disturbances in which the family were concerned are somewhat prominent; but in the *Stonor Letters*, even during the troublous years between Towton and Tewkes-

bury, there is little suggestion of anything that broke the quiet tenor of a country gentleman's life. Most of the Marchall letters belong to the same time, and they also give no hint of social disturbance. Of this, however, I shall have more to say in another connexion.[1]

I observed just now that with one exception the majority of the Marchall letters appear to be autograph. That is, I believe, an ordinary characteristic of most of the letters of the time. Certainly the Stonors and their neighbours, as a rule, wrote their own letters, and wrote like persons to whom writing was not unfamiliar. Nor does the fact that the body of a letter was not written by the sender mean that he was incapable. Richard Harcourt had some of his letters written for him, but could finish his signature with quite a remarkable paraph, which betokens some skill in penmanship.[2] Elizabeth Stonor generally dictated her letters, but she usually added a sentence in her own hand and could write well enough if she pleased. There is some evidence that her letters were actually taken down from dictation, a process which requires readiness and familiar skill from both parties. Both the *Paston Letters* and the *Stonor Letters* include instances of copies which had obviously been kept for future reference:[3] that such copies or drafts should sometimes be ill written and full of corrections is a natural characteristic; it is not to be taken as evidence that the writing of a letter was laborious and unfamiliar; rather should we find in it proof that the practice of letter-writing was already well developed.

There is, I believe, ample justification for the late Dr. Gairdner's opinion that: 'The standard of education was by no means so low, and its advantages by no means so exceptionally distributed, as might be supposed. No person of any rank or station in society above mere labouring men seems to have been wholly illiterate. All could write letters: most persons could express themselves

[1] See pp. 62–64 below.

[2] *Stonor Letters*, i. 113.

[3] Cf. *ib.* i, pp. 38, 39; date 1424.

in writing with ease and fluency.' I agree also that there has been too much readiness to undervalue the culture and civilization of the age. Certainly the capacity to read and write was no longer an accomplishment confined to the clerical class; indeed, some of the worst letter-writers are to be found amongst the lower clergy. The wives and sisters of country gentlemen could often write as well as their husbands and brothers, and both they and their servants could and commonly did keep regular household accounts. The shopkeeper made out his bill in writing and sent it to his customer with an explanatory letter.[1] The physician wrote out his prescription in a fashion similar to that still in use, and sent it to the apothecary to make up.[2] In the merchant's office a capacity to read and write must have long been required; of its universality we can obtain proof from a single instance. In 1442 Robert Chirche, when taking an apprentice, bound himself to find him to school for a year and a half to learn grammar and for half a year to learn to write. After some years the boy's friends complained that this had never been done, to his great harm and loss. Chirche replied, denying some of the statements, and alleging that the apprentice had been sufficiently instructed both in reading and writing as unto such apprentices reasonably may suffice.[3]

So far from being an age of illiteracy, the fifteenth century was indeed one of marked educational progress. Mr. Leach[4] has pointed out the great development that took place at this time in the foundation of schools, Eton being only the most famous in a large number. William Waynflete was not only Provost of Eton, but himself an educational reformer and founder of a school at his native place. Noblemen attached schools to the collegiate foundations which they established in churches like

[1] *Ib.* ii. 90, 91. [2] *Ib.* ii. 107, 108.

[3] *Oxford Studies in Social and Legal History*, iv, pp. 208–10; from *Early Chancery Proceedings*, 19/491–2.

[4] *Schools of Medieval England*, p. 235; see also his paper on *St. Paul's School before Colet*, ap. *Archaeologia*, lxii. 191–238.

Fotheringhay and Tattershall. Sevenoaks School, founded in 1423, was the first of the many schools which owed their existence to the munificence of London citizens. William Sevenoke, the founder, was a successful merchant who had made his own way in the world. He and others, who left bequests for poor scholars at Oxford and Cambridge, were practical men who appreciated the value of education.

In London itself there were schools in the twelfth century at St. Paul's, St. Martin le Grand, and St. Mary le Bow. William FitzStephen has left us a description of how the boys of the various schools would engage in disputation, hurling jest and abuse at one another, girding at each other's faults, or haply even at those of their elders, whilst their hearers roared with laughter till their noses were wrinkled all over.[1] Since Stow has given us a memory of like exercises in his boyhood [2] we may assume that the practice had continued through the ages. The three schools named seem to have been the only ones licensed till the fifteenth century. In 1393 the Archbishop of Canterbury, the Bishop of London, the Dean of St. Martin's, and the Chancellor of St. Paul's, as their patrons, joined in a representation that certain strangers, not sufficiently learned, held general schools of grammar in deceit and fraud of children, to the prejudice of the King's subjects and of the jurisdiction of the Church.[3] There was clearly need for more schools, and in spite of ancient privilege they multiplied. In 1425 we have mention of a school at St. Peter's, Cornhill, which appears to have existed for some time before.[4] In 1441 John Carpenter, the Master of St. Anthony's Hospital, obtained licence from the Bishop of London to establish a master or fit informer to keep a grammar school in the hospital.

[1] *Descriptio Londoniae*, ap. Stow, *Survey*, ii. 222.

[2] *Survey*, i. 74.

[3] *Rolls of Parliament*, iii. 324.

[4] Roger Keston was Master of the grammar school at Cornhill in 1419 (Leach, *Schools*, p. 265), and John Steward was Master at St. Peter's, Cornhill, in 1425 (Stow, *Survey*, i. 194).

The school at St. Anthony's enjoyed a great repute till it was eclipsed by Colet's re-foundation at St. Paul's. Colet himself and his friends Thomas More and William Latimer were all scholars there.

In the same year that saw the foundation of St. Anthony's School, another John Carpenter, the famous Town Clerk of London, made a bequest for the education of poor children, out of which in process of time grew the City of London School. In 1446 a similar representation to that of 1393 was made to the King. But now it was stated that the Archbishop of Canterbury and Bishop of London had established five schools in the City, the new ones being St. Anthony's and St. Dunstan's in the East, of which latter there is no previous mention. In consequence an ordinance was made restricting the number of the licensed schools to five, the King considering that many persons insufficiently instructed in grammar had presumed to hold common schools in the City, thereby wickedly defrauding boys and their friends.[1]

It was probably as a result of this ordinance that in the following year Gilbert Worthington, the Rector of St. Andrew's, Holborn, joined with the parsons of All Hallows the Great and St. Peter's, Cornhill, and the Master of the Hospital of St. Thomas of Acon[2] in a petition for leave to establish four new schools. They represented that

'the City of London is the common concourse of this land, wherein is great multitude of young people, not only born and brought forth in the same city, but also of many other parts of this land, some for lack of schoolmasters in their own country, for to be informed of grammar there, and some for the great alms of lords, merchants and others, the which is in London more plenteously done than in many other places of the realm, to such poor creatures as never should have been brought to such great virtue and cunning as they have, had it not been by the alms aforesaid. . . . Wherefore it were expedient that in London there were a sufficient number of schools and of good informers of grammar, and not for the

[1] *Cal. Pat. Rolls*, Henry VI, iv. 432.
[2] On behalf of St. Mary Colechurch.

singular avail of two or three persons grievously to hurt the said multitude of young persons of this land; for where there is great number of learners and few teachers, and all the learners be compelled to go to the same few teachers and to none other, the masters waxen rich in money and the learners poor in cunning.'[1]

Henry VI, as the founder of Eton and King's Colleges, must have been well disposed to this petition. But ecclesiastical influence so far prevailed that it was ordained that the new schools should only be established by the advice of the ordinary or of the Archbishop of Canterbury. Mr. Leach questioned whether the schools were ever established.[2] But we know that the school at St. Peter's, Cornhill, existed in 1425 and possibly earlier,[3] and in Stow's time there was still a school there. It is reasonable to suppose that the school had a continuous existence, and that the petitioners of 1447 were endeavouring to secure the prosperity of schools already established, the maintenance of which was threatened by the ecclesiastical ordinance of the previous year. Twelve years later Simon Eyre in his will made provision for a school at the Leadenhall.[4] Stow, who could write of his own knowledge, speaks of divers schools as decayed by the suppression of religious houses,[5] and his statement is confirmed by the existence of a school at Trinity Priory as far back as the thirteenth century.[6] We cannot argue from the absence of specific mention, for of those schools which we know to have existed we learn only a little from casual references. The mention of the school of Ryall in St. Lawrence Jewry Lane in 1456[7] shows there were other schools in London besides those of which some history is known. Altogether it would seem probable that by the

[1] *Rolls of Parliament*, v. 137. [2] *Archaeologia*, lxii. 201.

[3] See p. 36 above. When the hospital of St. Thomas of Acon was sold to the Mercers in 1540, it was on condition that they maintained a free grammar school there. This makes it probable that a school already existed.

[4] Stow, *Survey*, i. 154. [5] *Ib.* i. 73, 256.

[6] *Ib.* ii. 221, in a thirteenth-century version of FitzStephen.

[7] *Cal. Pat. Rolls*, Henry VI, vi. 285.

middle of the century there were at least ten or a dozen schools within the City of London.

It has seemed worth while to give this brief history of early London schools as evidence of the spread of education. But the case of London, if perhaps exceptional, was not peculiar. It is with some amazement that one finds that in 1380 Edmund de Stonor sent his son, a boy of about twelve years old, to a boarding school kept by a married master. The boy had been ill, and Stonor sent his chaplain to see how he was. The chaplain reported that he found him better, and that when his fever left him he would go into school and run about healthy and jolly as a boy should do; he was making progress with Donatus slowly but befittingly. The master and his wife thought he had too many clothes and would like some of them sent home, for fear they might be spoilt.[1] In another document, which seems to be the indenture of the boy's clothes, we learn that besides bedding he had two shirts, two sendal gowns, two red gowns, a motley gown, a pair of shoes and three kerchiefs.[2] This school, which was at Ewelme, is probably only an instance of others at which the sons of country gentlemen received their education. Unless, indeed, the capacity to read had been fairly general, the common practice of posting up bills in public places or distributing them by hand would be inexplicable.[3] Similar evidence can be found in small things, like the inscription on a lady's toilet-box 'Strawe on pouder enough',[4] or in the late fourteenth-century silver bowl, clearly a child's porringer, once at Studley Royal, with its beautiful ornamentation formed by the letters of the alphabet.[5]

How far the capacity to read and write led to much reading of books is another matter. But the youngest

[1] *Stonor Letters*, i. p. 21.
[2] *Camden Miscellany*, xiii, p. 10.
[3] Cf. *Foedera*, xi. 268 and pp. 59 and 116 below.
[4] Will of Alice Cooke in 1413; *Archdeacon of London*, Reg. I, f. 313.
[5] *Proceedings of the Society of Antiquaries*, xxiii. 46–9. The date was not later than 1400; in 1431 there is mention of 'unum collok cum scriptura A. B. C. in co-operculo'.

John Paston had a dozen or more books of romances, poetry, and heraldry, together with the *De Amicitia* and *De Senectute* of Cicero.[1] In the *Stonor Letters* there is no mention of books, but Thomas Gate thought it reasonable for a gentleman to know his pedigree, and quoted St. Paul in his support.[2] Already, perhaps, history, romances, and heraldry were the literary amusement of the country gentleman. Men of rank had sometimes considerable numbers of books. The will and inventories of Henry le Scrope in 1415 contain reference to nearly eighty volumes; most of them were service-books or religious works, but the list is clearly not complete; even as it stands it includes Bede's *History*, whilst the bequests of books to relatives shows that they were owned to be read.[3] The fame of Duke Humphrey as a book-collector is too well known to need mention. But there are other instances of intellectual interest in high quarters. The Duke of Suffolk was the friend of Charles of Orleans, and himself wrote poems in French.[4] James Butler, the fourth Earl of Ormonde, is described as a great student and lover of history and antiquity, very proficient in the law of arms. It is to Ormonde that we owe the reminiscences of Henry V, which gave to the work of the Translator of Livius its most original interest.[5] At a later time John Tiptoft, Earl of Worcester, and Anthony Woodville, Earl Rivers, were both men of culture with an interest in learning. At the same date William FitzAlan, Earl of Arundel, was like Rivers a patron of Caxton. Bequests of books occur not infrequently in the wills of laymen. Thomas Walyngton, a London draper, in 1403 mentions ten books, all of a religious character.[6] John Clifford, a mason of Southwark, in 1411 had several books, including the Gospels for Sundays in English, which he left to St. Olave's Church.[7] Stephen Preston of Sylton, Dorset,

[1] *Paston Letters*, vi. 66–7.
[2] *Stonor Letters*, i. 136.
[3] *Archaeologia*, lxx. 82, 83.
[4] See p. 175 below.
[5] See *First English Life of Henry V*, Introduction, pp. xvi–xx.
[6] P. C. C. 4 Marche.
[7] P. C. C. 38 Marche

in 1474 had, besides books of grammar, sophistry, logic, and law, copies of a work of St. Bonaventure, Boethius's *De Consolacione*, and the *Prick of Conscience*.[1] Somewhat more interesting is the 'great English book called Polycronicon' which Robert Skrayngham bequeathed to another merchant in 1467.[2] Lawyers and physicians might have considerable collections of books relating to their calling. But no layman was likely to rival Walter Crome, Rector of St. Benet Shorhog, who in 1452 left no less than ninety-three books to the Common Library at Cambridge; unfortunately he gives the titles of only three.[3]

Probably the books named in wills are in some cases only a selection from those which the testators owned. At all events there can be no question that manuscript copies of books were regularly made for sale. This is illustrated by a note written at the end of a copy of the *English Chronicle*:[4] 'Here is no more of the siege of Rouen: and that is because we wanted the true copy thereof; but whosoever owns this book may write it out in the hinderend of this book, or in the fartherend of it, when he gets the true copy.' The very numerous copies of the *English Chronicle* and of the *London Chronicles* which still exist are sufficient proof that they were written for and appealed to a considerable class of readers. The latter were certainly written by and for London citizens, and had a practical purpose as a record of civic events; printed chronicles of similar form retained their popularity till the close of the sixteenth century. The *English Chronicle* had a wider circulation, and it is remarkable that the only continuous chronicle of the middle fifteenth century should have been composed in the popular speech. As *Caxton's Chronicles* it became the first of English printed histories; during the first half century after the introduction of printing nearly thirty

[1] *Collectanea Franciscana*, ii. 107. [2] P. C. C. 23 Godyn.
[3] Will ap. *Commissary of London*, Sharpe, f. 97.
[4] Egerton MS. 650, at the British Museum.

editions of this and the kindred English *Polychronicon* appeared. The popularity which is thus indicated was only a continuation of the interest with which the manuscript chronicle had been read by the previous generation. The invention of printing found the market for booksellers already prepared. As early as 1482 Henry Franckenbergk and Barnard van Stondo were established in London as merchants of printed books in St. Mark's Alley off St. Clement's Lane.[1] Ten years later one Hugh Parsons of the parish of St. Bride, Fleet Street, sued Elizabeth Jonson for having stolen from his house sixty books *De novis tenuris*, and sixty books called *Le Fox*, besides two bales of paper ;[2] Parsons must clearly have been trading on a considerable scale.

Though it is not likely that many private individuals had more than a small collection of books, one must not overlook the fact that the fifteenth century was an age of libraries. Of the first University Library at Oxford and of the benefactions of Duke Humphrey there is no need to speak. An illustration has just been given of the contemporaneous growth of the University Library at Cambridge. Bequests of books to college libraries in both universities are not uncommon.[3] In London Richard Whittington built a new library for the Grey Friars on a sumptuous scale, and a little later a library was established at the Guildhall. In 1483 William Goldwyn, an eminent physician of the day, bequeathed all his books of physic to the Hospital of St. Thomas of Acon to be chained in the common library for evermore.[4] This

[1] *Ancient Deeds*, C. 1058.

[2] *Placita de Banco*, 919, m. 134 ; for Hilary Term 7 Henry VII (1492). *De Novis Tenuris* is clearly the celebrated treatise of Thomas Littleton, of which the *editio princeps* was published at London by John Litton and William de Machlinia probably before 1483 ; Machlinia produced a second edition in 1485. *Le Fox* is perhaps 'The History of Reynard the Fox', printed by Caxton in 1481 and again about 1489.

[3] Thomas Kent in 1463 left twenty-four books of law to All Souls College, and other books to the chaplains of St. James Garlickhithe at London (P. C. C. 24 Godyn).

[4] See *Stonor Letters*, ii. 107, with note on No. 271.

instance is of interest as showing that the hospital was a place of study as well as a charitable institution. There were, of course, libraries in other religious houses, whilst several of the churches like St. Peter Cornhill[1] and St. Michael Paternoster[2] had considerable collections. But all that the fifteenth century had so laboriously brought together was ruthlessly swept away within fifty years from its close.

The spread of education and the common writing of letters are indeed only the expression of a general intellectual ferment of which we find evidence in various directions. We see it in Art: in such instances as the paintings of William Baker at Eton, the splendid tomb of Richard Beauchamp at Warwick, or King's College Chapel at Cambridge; these, if medieval in their expression, were at all events not decadent. It was an age of church building, and (what is more significant) of domestic architecture, of colleges at Oxford and Cambridge, of the halls of merchant companies, and of manor houses designed for comfort with little thought of defence. Such building is proof both of subsisting material prosperity and of a growing desire for luxury.

In all these things we find the old traditions intermingled with new ideas. On the very different subject of the stage, Mr. Chambers writes that new dramatic conditions had arisen 'which, after existing for a while side by side with those of medievalism, were destined ultimately to become a substitute for them and to lead directly to the magic stage of Shakespeare'.[3] This criticism, written only of a particular phase, is so apposite to the whole intellectual movement of the age that I need no excuse for its quotation. As regards the stage itself, I will add a reminder that its influence was not confined

[1] Leland (*Collectanea*, iv. 48) gives a list of some books there.

[2] In 1482 Edward Lupton left to the library of Whittington College there four volumes of theology (P. C. C. 6 Logge). In 1422 John Malvern, Rector of St. Dunstan's in the East, left four books for the use of the clerks at that church (P. C. C. 53 Marche).

[3] *Medieval Stage*, ii. 150.

to the places where dramatic performances were regularly given. The King's players, and no doubt others also, went touring; in the summer of 1424 they performed at Robertsbridge Abbey.[1] The visit was not a solitary instance, and in most quarters of the year the monks of Robertsbridge had some entertainment, whether by players or minstrels. Robertsbridge was not, I suppose, peculiar. At Tattershall College one of the chaplains set music not only to chants but also to secular songs like 'The Maidens of London' and 'The Cry of Calais'.[2] These are but small things, though they indicate that even houses of religion did not lie altogether outside the intellectual life of the time.

If in the actual literature of the fifteenth century there is little that excites our interest, here also amongst the worn-out forms of tradition we can trace the promise of better things to come. If Lydgate wrote too much and too long not to be generally dull, he could turn a good line on occasion. But of greater significance is the ballad literature inspired by the victory of Agincourt and the defence of Calais in 1436. It is not unimportant to observe that popular feeling thus found its earliest literary expression in the generation which witnessed the first common use of the vernacular in letters and records. If in prose writing Malory stands almost alone, occasional passages of forceful English are to be found elsewhere. The translator of Livius might write in 1513 of 'homely English from which all pratique and famous inditing is far-exiled', but the moulding of his native speech was in progress long before.

It would be but a narrow view of the true meaning of the Renaissance which failed to find in all these manifold proofs of change amidst the wreck of medievalism the manifest signs of the coming of a new era.

I have forborne thus far to speak of the share of Oxford in the intellectual ferment of the fifteenth century. We get a few glimpses of university life in contemporary

[1] *MSS. of Lord De L'Isle and Dudley*, i. 166–70. [2] *Ib.* i. 194, 197.

letters. Walter Paston tells us how he had sped so well in his learning and labour that he might take his degree, and how when the occasion came he duly made his feast, when in spite of his being deceived in promises of venison his guests were well pleased with such meat as they had.[1] Thomas Banke, who was afterwards Rector of Lincoln College, in a letter of more serious import gives us a naïve picture of the exaggerated deference paid to social rank in his description of how the Lord Edward de la Pole, the King's nephew, and Master James Stanley, the Earl of Derby's son, both mere boys, sat in judgement with the Commissary of the University on certain unruly scholars.[2] In another letter an Oxford scholar tells us how he had begun Arts, and with the grace of God and his good friends purposed to continue forth therein; he wrote a good enough hand though his spelling was original.[3]

The doings and aspirations of Oxford undergraduates in the fifteenth century, however, tell us nothing of the true character of the University. Some might call it dead. Dead in one sense it no doubt was. All vigorous and earnest scholastic thought had been extirpated by the ecclesiastical repression which followed on the end of the Wycliffite heresy. It was only the dead ghost of a worn-out tradition with which at the close of the century the champions of the new learning had to contend. But intellectual activity had found its vent in other channels, and was already groping after a better future, when with the gift of Duke Humphrey's Library the first irruption of the full-blown Italian Renaissance came to its aid.[4] Poggio Bracciolini, who visited Oxford about 1422, might write that English scholars delighted more in scholastic disputation than in the new learning,[5] but even twenty years later such a reproach would have been hardly fair. The University cannot have been entirely dead which

[1] *Paston Letters*, vi. 11–14. [2] *Stonor Letters and Papers*, ii. 137, 138.
[3] *Ancient Correspondence*, xliv. 43.
[4] Rashdall, *Universities of Europe*, ii. 463, 541–2.
[5] *Epistolae*, p. 43, ed. Tonelli, 1832.

sent forth to the service of the State such men as Thomas Bekynton, William Waynflete, John Morton, and John Russell; they all owed their advancement in the first instance to their own merit and not to any chance of birth; they had all shared in the teaching and government of the University; they all retained their interest in learning in after life and showed their gratitude to Oxford in a practical fashion.

William Bingham, when endowing Clare Hall at Cambridge in 1439, might give as one reason the need for knowledge of Latin, which was requisite for the pursuit of the law and the affairs of the realm; but there were scholars in the universities with a higher intellectual aim. William Grey, who was Chancellor of Oxford in 1440–1, devoted many years in Italy to the pursuit of classical learning, studying first at Florence and Padua, and afterwards under Guarino at Ferrara. It was to his humanistic zeal that he owed his promotion to be Bishop of Ely, and it was under Grey's patronage that John Phreas and John Gunthorpe, both like him Balliol scholars, went to study like him under Guarino. Phreas at all events is entitled to a high place amongst the early humanists. He was a friend of John Tiptoft, Earl of Worcester, who had himself been educated at Balliol College, and afterwards studied law at Padua. Tiptoft was not only a patron of learning and a great collector of books, but the author of the English version of the *De Amicitia* of Cicero printed by Caxton. Other names are those of Robert Flemming, Dean of Lincoln, who also studied at Ferrara and Rome, and brought back manuscripts from Italy which he gave to Lincoln College; and of William Tilly or Sellyng, who is said to have been a Fellow of All Souls College and was afterwards Prior of Christchurch, Canterbury; Sellyng paid more than one visit to Italy and was a zealous collector of manuscripts, both Greek and Latin. Nor amongst the pioneers of the Renaissance at Oxford must we omit the name of Thomas Chandler, the enlightened Warden of New College, who

invited Cornelio Vitelli to lecture in Greek at Oxford. Chandler was Warden whilst Russell was a Fellow and Grocyn a student of the college. Grocyn completes the chain, for like Linacre, who had been a pupil of Sellyng, he lived to be the friend of Colet, More, and Erasmus. If worn-out traditions lingered long in the official routine of the University, the same ferment had been working there as elsewhere. The brilliance of the little band of 'Oxford Reformers' was after all but the flower of that seed which had been growing silently for long years before.

It is not without a purpose that I have wandered so far from the subject with which I started. If the interest of the English letters of the fifteenth century is to be found in their own content, and if their primary value for the historian consists in the light which they throw on the social life of the age, their true importance and significance cannot be realized except in their relation as part of a greater whole. Their appearance was one of the first expressions of that growth of national self-consciousness which is the underlying quality of the fifteenth century. It was that growth which equipped the English people for the future which lay before them. Through it, and through the spontaneous groping after light which accompanied it, were they alone able to respond to the stimulus applied by the coming of a more advanced culture. The fifteenth century in England was not an epoch of great achievement. The visible results of its manifold intellectual activities were small. But these small things prepared the way for the true Renaissance, and it was through them that the rich accomplishment of the next age was made possible.

III

SOCIAL LIFE AND THE WARS OF THE ROSES

The prominence which the sixteenth-century view of fifteenth-century history gave to the Wars of the Roses, and the obvious havoc which those wars wrought on the royal house of England and in the ranks of the old nobility have led, I believe, to an exaggerated estimate of the effect which they had on the social life of the time. If that effect was so great as has been often suggested, it would appear probable that we should find some trace of it in legal records. This consideration suggested a search of the *Early Chancery Proceedings*, and in a less degree of the *Ancient Indictments*. Though a fair number of cases which could be connected directly with the wars were found,[1] the results yielded are of a negative character. Since, however, the cases are often in themselves not uninteresting and sometimes throw fresh light both on political events and social history, I will make no excuse for devoting a considerable space to their description.

The Wars of the Roses may be said to cover a period of thirty years from the first battle of St. Albans to Bosworth. But the fourteen years from 1471 to 1485 were a time of comparative rest, and we shall be mainly concerned with the events which centred round the Yorkist victories of Towton and Tewkesbury. Inasmuch, however, as Cade's rebellion was in a sense a prelude to the wars, and since the disturbances of 1450 were perhaps

[1] Probably others might be added; but it was only possible to examine those which had promising titles.

more widely spread than those of any subsequent year, it will be convenient to begin at that point.

Cade's own rebellion was, of course, focussed in London, but a chronicler of the time records that 'the community of the realm was filled with infamy and those who feared neither King nor law set up for themselves captains in divers places to spoil ecclesiastics and the rich'.[1] Of the broad truth of this statement there is no question, and it seemed not improbable that traces would be found in legal records. It was probably incidental to the rising that John Squyer, parson of Alderton and chaplain to the Duke of Suffolk, was by evil and rebellious people of his own parish piteously slain and murdered through great malice to him borne because of his said lord.[2] The unpopularity of Suffolk was perhaps a contributory cause to disturbances in his own county. On 3rd July 1450, John Stafford, vicar of Multon in Suffolk, was in his vicarage when certain misdoers, 'of the affinity of the great traitor John Cade', broke into the house with intent to have smitten off his head. Stafford managed to escape, but his goods were spoiled and he was himself in such dread that at least a year later he had not dared to come home.[3] A third case also belongs to Suffolk: 'in the most troublous season and time of that great traitor John Cade,' John Strange, a squire, had with great force and violence entered on lands at Brampton lately purchased by one William Bidston.[4] In the first two cases we seem to have to do with the enmity excited for ecclesiastics, which was here vented by parishioners on their own parson. In the third we have perhaps no more than the opportunity which public disorder afforded for the accomplishment of some private end. It is a little curious that all three of these cases relate to the same county. But it would be rash to draw

[1] *Sherborne Annals*, ap. Kingsford, *English Historical Literature*, pp. 347–8.
[2] *Early Chancery Proceedings*, 19/144.
[3] *Ib.* 19/388.
[4] *Ib.* 16/453.

any conclusion from this; we know that there were troubles in Wiltshire and Dorset, and Dr. Gairdner has cited the case of William Parmynter the second captain of Kent.[1]

Of two cases which arose out of events in London, one has to do only with the plundering of the house of Philip Malpas.[2] The other is a complaint by Richard Horne and John Judde that they had been arrested at the suit of one Lawrence Stokewode of London, who called himself alderman, 'of the traitor John Cade's making, as it is said'. Certain of Stokewode's affinity, including Simon Shipton 'sworn man of the traitor John Cade', being the greatest rioters in ransoming their neighbours, had come to Judde's house and by their threats so alarmed his wife that she went to Cade himself and paid him a grievous finance not to have her house dispoiled. All this was done out of Stokewode's malice, because by the King's orders Horne and Judde had been sent in two barges to see that victuals were not stopped from coming to the city and to prevent Londoners from going by water to join the rebels. Stokewode had declared that for this they ought to be hanged, and made all who were well-willed to Cade call them traitors. Afterwards, whilst the King was in Kent, Stokewode and his associates employed Horne to make an end for them with Judde, which he did for £20 and was promised in reward 20*s.* and a portion of oranges. Later on when the traitor Thomas Skynner was up in Sussex with a great people, Stokewode and his associates thought they would get back their money and threatened Judde and Horne because they would not keep silence of what had been done in the rebellion time. They even sent 'soldiours and courtiners' to Judde's house, with many 'orybill wepons', who would have had him out and killed him.[3]

Judde was afterwards master of the King's ordnance, and some years later, in 1459, was murdered by Yorkists

[1] *Paston Letters*, i. 334. [2] *Early Chancery Proceedings*, 19/30.
[3] *Ib.* 19/134–5.

whilst taking munitions to the King.[1] The employment of Judde and Horne in 1450 suggests that the government was not so negligent of the defence of London as has sometimes been supposed. The narrative shows also that Cade had friends in the city. Stokewode was a salter and presumably a man of some substance ;[2] but I have not found any other reference to his association with Cade. The robbery of Judde's house was perhaps political, but the reference to rioters ransoming their neighbours may indicate that even if Cade exercised some authority over his own followers,[3] there were others who took advantage to pilfer on their own account. To Thomas Skynner's rising in Sussex I have found no other reference, but it was probably some incident in the autumn of 1450 and shows how slowly the troubles died down.

The majority of the cases arising out of the Wars of the Roses themselves are centred round the events of 1459 to 1461. This is perhaps not unnatural, since the period of a little over eighteen months between Blore Heath and Towton was the longest during which the warfare was in any sense continuous or more than sporadic. The earliest cases at this time are the complaints by two shipmasters whose vessels had been seized by the Earl of Warwick during his voyage to Ireland in 1460, with the result that they were themselves sued for damages by the merchants who had freighted their ships.[4] But these cases, though of interest as illustrating the means whereby Warwick recruited his navy, are of only slight importance in the present connexion.

It is not unnatural that Yorkshire, where the rivalry of the two contending parties during the six months before Towton was hottest, should yield us most cases. There the leaders of the Lancastrian party were the

[1] *Cal. Pat. Rolls*, Henry VI, vi. 341 ; Flenley, *Six Town Chronicles*, p. 149.
[2] *Cal. Pat. Rolls*, Henry VI, vi. 12.
[3] As argued in Kriehn, *English Rising in 1450*, p. 100.
[4] *Early Chancery Proceedings*, 27/383 and 440.

Earl of Northumberland and John, Lord Neville, though there were Percies and Nevilles on both sides. In the autumn of 1460 Northumberland and Neville sent a commission to Beverley charging every man between sixteen and sixty years of age to await upon them in fensible array and help bring King Henry out of prison. John Reddysham, a mercer of the town of Yorkist sympathies, obtained a copy of this commission, which he gave to one John Newport, who professed that he meant to send it to Sir Thomas Neville, the Earl of Warwick's brother. But after the heavy journey was done at Wakefield, Newport sent the copy to the Lords of Northumberland and Neville, and coming to Reddysham's place at Beverley plundered his goods and took him to prison. Then the doors of Reddysham's house were sealed up, and so remained from 2nd January 1461 till 31st March, two days after Towton. Whilst Reddysham lay in prison his wife went to York to labour for his release with the Earl of Northumberland, who told her that her husband deserved to suffer death for copying and sending forth the commission. So through Newport's untruth Reddysham was like to have lost both his goods and his life, had not God fortuned our liege the King, to have the victory on Palm Sunday.[1]

None of the other Yorkshire cases are of special interest. One is concerned only with the misfortune of Richard Knyght, a surgeon in the service of the Earl of Warwick, who after Towton could not get leave to go to London and answer a charge of having purloined a bowl belonging to the Craft of Tailors.[2] Two other cases arose out of alleged acts of pillage by the Lancastrians, John, Lord Clifford, and Sir William Plumpton, at the expense of political opponents.[3] The other cases are all slight; one relates to the ransom of a servant of Sir Thomas Neville, who had been taken prisoner at Wakefield; another to the robbery of Richard Langton, parson of Lyth near

[1] *Early Chancery Proceedings*, 27/435. [2] *Ib.* 27/397.
[3] *Ib.* 31/485 and 45/60.

Whitby, by servants of Lord Ros, who surmitted him to be a rebel and traitor to King Henry; a third seems to be no more than a simple case of pillage without any political motive by soldiers after Towton.[1]

The notorious pillage by the Northerners on their march to St. Albans in 1461 might have been expected to produce many complaints. Amongst the *Ancient Indictments*[2] there are indeed an unusual number of charges of robbery and violence in the neighbourhood of London during the winter of 1460–1. Many of the offenders are described as Londoners, and were probably no more than common thieves reaping the harvest of an unexpected opportunity. Only in a few cases can we connect them directly with the war. A robbery at South Mimms on 6th February 1461 is described as committed by plunderers who had compassed and imagined the death and destruction of Edward IV, now King of England. This was some days before the battle of St. Albans, and must have been the work of local sympathizers with the Lancastrian cause. But on the day after the battle Sir William Kenedy,[3] a knight of Westminster, and other gentlemen of that place, accompanied by 500 rebels armed in manner of war, plundered a number of houses at Westminster and more particularly of such persons as had withheld them from the battle of St. Albans. Here again the culprits were apparently local partizans, though the incident shows that the Lancastrians may have received reinforcements in the south. After the Yorkist army had reached London, there is mention of a robbery by Yorkshiremen at Kensington on 6th March; it is the only one which can be specifically attributed to the Northerners. All these crimes were perpetrated in the suburbs or in the country between London and St. Albans, where authority was for the moment in abeyance.

In the *Early Chancery Proceedings* there are two cases

[1] *Ib.* 27/456, 28/195, and 260. [2] *K. B.* 9, 295–7 at P. R. O.

[3] Perhaps the same person who appears on pp. 89, 90 below.

relating to incidents at the time of the second battle of St. Albans. John Myrydale having been taken prisoner by Robert Whittyngham, to whom he owed £12, paid him the money with 10 marks in addition to the intent that Whittyngham should be his good master at that time. Whittyngham said that the bond was in London, but that he would give him an acquittance; whereupon he ordered his servants to take Myrydale out and strike off his head.[1] The other case was a side issue which arose several years later out of some plundering at Totteridge in 1461; it is only noteworthy because one of the plunderers, having turned Yorkist, used political influence to defeat his victim's attempt at redress.[2]

Two cases relating to incidents in the West Country are of much greater interest and importance. Devon and Cornwall, as I shall show further in the next Lecture, were a stronghold of the Lancastrian party, though in the former county at all events there was also an influential Yorkist faction. The rivalry of the two parties was complicated by the private feud of the Earl of Devonshire and William, Lord Bonville, which in 1455 had culminated in a pitched battle outside Exeter.[3] The Earl was at that time disposed to favour York, whilst Bonville professed to be loyal to King Henry. But five years later the Earl had become a staunch Lancastrian, whilst Bonville was an equally keen Yorkist. However, with my first case, a Cornish one, neither of these champions had any concern.

On Wednesday, 25th February 1461, about one of the clock after midnight there came to the house of Henry Gyllyot near Helston William Carnsyowe, 'the great errant Captain of Cornwall', with a number of other persons armed with all manner of weapons and purposing to have murdered him. But Gyllyot, having timely warning, escaped out of a window in his shirt, and thus clad went two miles to the chapel of St. Sexymma beside

[1] *Early Chancery Proceedings*, 27/478.
[2] *Ib.* 31/516.
[3] *Rolls of Parliament*, v. 285.

Helston Church, where he remained naked for three days till his breeches came to him. Carnsyowe had threatened that he would hang Gyllyot at his own door because he had been with the great traitor the Chancellor and all the other traitors at Northampton to help take his sovereign lord King Henry. When he found that Gyllyot had escaped him, he and his fellows broke into the house and took possession of it, declaring that Gyllyot was attaint. They also cruelly maltreated Gyllyot's wife, almost severing every limb from other, whereby she was stricken with such infirmity that she 'never had whole day after'. After pillaging and sealing up the house, the misdoers went on to another place of Gyllyot at Deverell, where they acted in like manner. So from that day till Midsummer Gyllyot durst not be seen in his own house nor in any other man's, but had to keep himself hidden.[1]

On 9th December 1461 an order was issued for the arrest of William Carnsyowe and his chief supporters,[2] but otherwise I can throw no further light on the career of the great errant captain of Cornwall. It is, however, clear that there was a strong Lancastrian party in West Cornwall, and that the Yorkist government was not able to assert its authority there till three months after Towton. Perhaps the seizure of St. Michael's Mount by the Earl of Oxford twelve years afterwards was not so objectless an exploit or so wild an adventure as some have supposed.[3]

That the Lancastrians in the West of England did not at once abandon hope after the rout of their party at Towton appears also from the next case. William Champernoun, a wealthy squire of Modbury in South Devon, was an adherent of Lord Bonville, with whom he went to fight for the Yorkists at the second battle of St. Albans. He had not long come home when on

[1] *Early Chancery Proceedings*, 27/209; the original is damaged, though not so much as to destroy its purport.

[2] *Cal. Pat. Rolls*, Edward IV, i. 107.

[3] Sir C. Oman ap. *Political History of England*, iv. 449, 455.

9th April (before the news of Towton could have arrived) Hugh Rowe, a servant of the Earl of Devonshire, of cruel malice gathered a riotous assembly at Yealmpton and came to Modbury, meaning to destroy Champernoun's place and tenements in that town. There Rowe and his men lay in wait till they had 'certain news of the battle late gotten by the King on this side York'. A little over a month later, on Whitsunday 24th May, Charles VII of France, who favoured the Lancastrian cause, sent a small fleet to attack Plymouth. It would seem that the Devonshire Lancastrians were privy to the enterprise; for when on that day Champernoun sent his servant Nicholas Jay to help in the defence of the town and to secure his own property there, Hugh Rowe and his fellowship met him on the road. They took from Nicholas his harness and weapons and beat him grievously, calling him traitor and traitor's man: so that through them Nicholas was withheld from the service which he would have done to the King, and Champernoun was spoiled of his goods by the French. During the alarm of this French invasion Champernoun ordered his tenants and servants to keep watch nightly at Modbury for the safeguard of the town. But on Trinity Sunday (31st May) Rowe's brother William appeared with a force of armed men and so beat and alarmed Champernoun's party that they durst no more keep watch, as the men of all other towns thereabout had done and continued to do. Finally when Champernoun received a commission for the arrest of certain persons, who by the sending of Hugh Rowe had gone with the Earl of Devonshire to fight at Wakefield, Rowe gathered the said persons together and by force continued to defy Champernoun to his great costs and labour.[1]

Champernoun's story of the French attack on Plymouth is confirmed by the petition of William Savage, a merchant, who complained that 'at such time as the King's enemies of France were at Plymouth and there spoiled

[1] *Early Chancery Proceedings*, 29/327. See pp. 177–79 below.

the town' he was robbed of all his goods except such light things as jewels which he packed in two forcers or chests and sent by one of his servants to what he deemed would be a safe place. But the servant was met by a follower of Thomas Carewe, who took the forcers and gave them to his mistress, by whom the contents were detained.[1]

If the quarrel of the Earl of Devonshire and Lord Bonville had begun in a private feud which had little to do with politics, it had so developed that both were able to enlist their supporters as enthusiastic adherents of the political causes which they had themselves adopted. The peril of French raids in the Lancastrian interest was one of the dangers with which the first Yorkist king had to contend at the beginning of his reign. After Towton Sir Baldwin Fulford and Sir William Holland had gone down to stir up the people of Devon and Cornwall to side with King Henry and the King's adversaries of France. An order was issued for their arrest on 17th June, probably after the news of the attack on Plymouth had reached London. Three weeks previously the Lords Audley, Fitzwarine, and Stourton had been directed to urge the King's subjects in the western counties to resist the French who were besieging Castle Cornet in Guernsey.[2] Apart from the two notices in the *Chancery Proceedings* there seems to be no certain reference to the attack on Plymouth. But Camuglio, the Milanese envoy at Paris, wrote from Bruges on 2nd June that the French fleet had sailed from Normandy for England, and was said to have taken the route by the gulf of Bristol. Four days later he reported that according to letters from London it had struck at the coast of Cornwall, where it had done some damage by pillage and burning. On 14th June Camuglio wrote that they had heard from England how in the attack made by the fleet on the coast of Cornwall the French had been repulsed with great loss. The truth could not be obtained from

[1] *Ib.* 28/478. [2] *Cal. Pat. Rolls*, Edward IV, i. 33, 34.

England owing to the stupidity of the people there, but the fact that the fleet was being reinforced showed that it had suffered severely.[1] Miss Scofield, who had overlooked the *Chancery Proceedings*, thought that in reality the French fleet never got so far as the Cornish coast.[2] But though the main fleet certainly went to the Channel Islands, it is clear that a part had been detached to raid the English ports. Of this latter purpose Camuglio's informants must have been aware; though the time is rather short, the news of the attack on Plymouth might conceivably have reached Bruges by 6th June, and could easily have done so a week later. Champernoun's story suggests that the coming of a French fleet was expected by the Lancastrians in Devonshire, and this is confirmed by the intentions attributed to Fulford and Holland. The authority of the new government was probably no stronger in South Devon than it was in West Cornwall.

The ten troubled years between Towton and Tewkesbury furnish us with a few cases, most of which have to do with Norfolk, a county in which, as we know from the *Paston Letters*, there was much disorder at this time. The disorder may have been fomented by politics, though the Pastons' own troubles were hardly political. Norfolk has been regarded as a county in which Yorkist sympathy predominated through the influence of the Mowbrays. But the following cases will show that there was also a Lancastrian party. In July 1460 John Costard, a husbandman of Shottesham, is stated to have broken the close and house of one John Meek. Costard alleged that after the field in the north Meek paid him five marks as a reward for the safeguard of his person; but that later on Meek, being greatly supported and maintained by divers gentlemen, had him indicted.[3] At Lynn between 1465 and 1467 some servants of Lord Scales (Anthony

[1] *Cal. State Papers*, Milan, i, pp. 93, 95, 98.
[2] *Life and Reign of Edward the Fourth*, i. 179.
[3] *Early Chancery Proceedings*, 31/512.

Woodville) broke into the house of John Meek, a mercer, killed one of his sons, carried off his goods, and took Meek himself to prison.[1] Whether the John Meek who figures in these two documents is one and the same person is not clear; but if he was, we have at least the suggestion of a political motive.

That there was certainly a Lancastrian party in Norfolk appears also from the story of how in May 1471, before the news of Tewkesbury was known, one Thomas Gowsell with great rejoicing spread a report that King Edward was defeated and had fled to Lynn, and stirred up the people to go and capture him. Afterwards Gowsell, having obtained a pardon, endeavoured by means of a forgery to implicate other persons. Geoffrey Buntyng had offered in a Bill to prove Gowsell's guilt. Gowsell, having obtained a copy, had another version written into which he introduced the names of the Abbot of West Derham, the Priors of Pertney and Westacre, and of divers gentlemen of the county, who were represented as having in daily conventicles used unfitting language against the King. In the original Bill there had been no mention of any person except Gowsell himself. In the Court of Chancery John Bothe, a scrivener of Westminster, deposed that he had innocently at Gowsell's request made a copy of the Bill inserting the additional names at Gowsell's dictation, for which he charged 3*d.* Gowsell in reply alleged that when he chanced to be drinking in the house of John Stowe, tailor, at Westminster, Stowe's wife, who was a Norfolk woman, said to him: 'Sir! I have a bill touching you and many other gentlemen of our country.' This contained all the names, and he had a copy made, which was sent to Thomas Lovell, one of the persons mentioned. Lovell showed it to John Skelton with whom Gowsell had long been at variance. Skelton then bribed Geoffrey Buntyng for £3 to forge the other Bill. Gowsell alleged that he would make what he said good. Having failed to do so the Court sentenced him

[1] *Ib.* 31/481.

for his rash, seditious, and fraudulent machinations to be committed to the Fleet.[1]

A west country riot in 1465 arose directly out of events in the wars. In the autumn of 1461 the Lancastrian leader, Sir Baldwin Fulford, had been captured by one John Staplehill and executed at Bristol. Staplehill obtained in reward a grant of part of Fulford's estates. In April 1465, whilst Staplehill was away from home, Baldwin's son, Sir Thomas, came to Fulford with an armed force, said to have numbered 2,000 persons, broke into the house, carried off Staplehill's goods, and beat his servants.[2] Here at all events, though our sympathies may be with Sir Thomas Fulford, we seem to have a definite instance of violence due directly to the Civil War. Thomas Fulford, like many others, had made his peace with the new king, and he does not seem to have suffered for taking vengeance on his enemy.

There are two cases belonging to the period of the Lancastrian restoration. At Stratford in Essex Richard Smyth had his goods carried off by certain ill-disposed persons of those ungodly subjects who had dri en the King from the realm.[3] Of more interest is the story that in the time of the King's absence William Humbleton, a merchant of Hull, took full part with the Earl of Warwick, by whose command he found a ship and kept open war on the sea against the opposite party until he was captured by certain Dutchmen who were friends to the King.[4] If the first is only an instance of the maltreatment of political opponents, the latter throws a little light on Warwick's plans.

As an illustration of the effect of the wars on social life, none of these incidents equals the story of how Thomas Hargrave came back in haste from Tewkesbury to Nursling in Hampshire, hoping through his proved zeal for the victorious cause to get the better of his private rival,

[1] *Early Chancery Proceedings*, 43/284–90.
[2] *Ib.* 27/168, 424; see Scofield, *Life of Edward IV*, i. 200–1.
[3] *Ib.* 64/188. [4] *Ib.* 49/45.

Peter Marmion, who was at least open to suspicion of Lancastrian sympathy. Marmion and his father had for years been in possession of the manor of Nursling, to which, however, Hargrave professed to have a better claim. Six days after the battle, on Saturday, 11th May 1471, Hargrave arrived in the neighbourhood and sent some of his servants to the manor with intent to kill Marmion or at least obtain from him his evidences. Marmion by dint of fair words induced them to go away, and early next morning set off to seek sanctuary at Beaulieu. On the road he encountered Hargrave and his men, who took him back as a prisoner and tied him up with a dog's collar and chain in his own hall. On the Monday Hargrave sent for John Hamond, the recorder of Winchester, who arrived to find Hargrave sitting in state on the high bench and Marmion in his dog's collar cowering before him. Hamond was apparently summoned in order to furnish legal solemnity to the extortion of a release of the manor from Marmion. Marmion in fear of his life consented, and the party then adjourned to mass at the parish church. As they came out Hargrave turned to Marmion, and partly drawing his sword, threatened that if Marmion did not keep his promise he would strike off his head. At these words Marmion fell on his knees and held up his hands, quaking for fear as he declared that he would do all that Hargrave desired. On the Wednesday Marmion was taken to Winchester and there compelled to execute the deed, though as it would seem he afterwards found means to repudiate it.[1]

Peter Marmion's unhappy experience is peculiar in so far as it is the only one of the incidents here described which was remote from the scene of actual fighting. In most of the other cases the sufferers seem to have been people who had concerned themselves more or less actively in the war, though in a few the offenders had probably taken advantage of a disordered time to accomplish some private end. In the West Country certainly,

[1] *English Historical Review*, xxxv. 422–32.

and in Norfolk probably, the political rivalry of the contending factions was acute. All the other cases occurred in the immediate neighbourhood of the principal fighting, where no doubt there was much pillage and violence. But even if we include the plundering by the Northerners on their way to St. Albans, the area affected was comparatively small. The evidence which these legal proceedings afford is of only a negative kind. But it suggests that those who did not meddle in politics and were able to avoid active service in the wars, for the most part went unscathed.

For this negative evidence, however, more positive confirmation can be found elsewhere. I have suggested some reasons why the evidence of the *Paston Letters* on the prevalence of social disorder should be regarded as somewhat exceptional. The chief troubles in which the Pastons were concerned arose out of their association with Sir John Fastolf and his affairs. That not only embroiled them with influential neighbours, but drew them inevitably into the vortex of politics. It must be remembered, moreover, that in the *Paston Letters* we have to do chiefly with events in a single county. The Stonors, in addition to their principal property in South Oxfordshire and the adjacent counties, had considerable estates in Gloucestershire, Hampshire, Kent, and Devon. Their letters should thus enable us to obtain a wider view of the effect of political and social disorganization on the ordinary life of country people at the time. But during the troublous years before 1471, with the exception of the great dispute with Richard Fortescue at Ermington, we have nothing more serious than one or two cases of distress,[1] and some unruly conduct on the part of Thomas Stonor's sons.[2] Of the story of the riot at Ermington I shall have more to say in another connexion.[3] Probably the facts were much exaggerated, but here I will only add that the real matter in dispute, which was of long standing, was settled by process of law, and that ultimately by a

[1] *Stonor Letters*, Nos. 60 and 131. [2] No. 115. [3] See p. 69 below.

double marriage the Stonors and Fortescues became friends. During Sir William Stonor's time in 1480 there was perhaps something approaching to a riot on his wife's estate at Wolveston in Cornwall,[1] and three years later Stonor's former ward, Giles Wellysbourne, was the leader in an alleged riot by a hundred people at Watlington in Oxfordshire.[2] The only serious incident of the kind in which Stonor himself had any interest was the riotous conduct of Hargrave's representatives at Nursling in 1491; the last incident is noteworthy both for its date and for the admission by the defendants that they had come with an armed company of thirty persons.[3]

Thus the *Stonor Letters* afford us no evidence to suggest that either social disorder or civil war necessarily affected the lives of those who through their prudence or good fortune were not entangled in either. What we do get is a picture of the country gentleman busy with the management of his estates, taking his share in the work of local administration, living in friendly intercourse with neighbours in like circumstances to himself, growing rich with his profits as a sheep grazier, and spending money on the rebuilding of his house and laying out of his garden. Thomas Stonor had the wit to keep clear of politics; though on two occasions he was summoned for service by Edward IV, he apparently avoided compliance. He had friends in both political camps: Warwick's brother, the Archbishop of York, on one side; the King's brother-in-law, the Duke of Suffolk, on the other; but during the Lancastrian restoration managed to compromise himself with neither. The troubles of Sir William Stonor did not begin till he went to Court, was made a knight of the King's body, married a great lady, and became the friend of the Marquis of Dorset.

There is no reason to suppose that the circumstances of the Stonors were exceptional, or in any way different from those of many other country gentlemen of the time.

[1] No. 267. [2] No. 332.

[3] *English Historical Review*, xxxv. 425–8.

In the *Plumpton Correspondence*, though Sir William Plumpton had fought as a Lancastrian and was engaged in constant litigation, we get no sufficient proof to the contrary. Plumpton himself complains on one occasion of threats to beat his servants ; and some of his tenants, on another occasion, complained of the robbery of their poultry by men who were present at all sports and games and had always silver to spend in gaming but never money to pay to those who would not fray with them. In a third case there is mention of the felonious seizing of cattle.[1] On such evidence no theory of widespread disorder can be based. Yet Yorkshire was one of the most troubled districts in the country. However frequent crimes of violence may have been at some times and in some places, they were not, I believe, so usual as to prevent most people at most times from living in tolerable ease and prosperity.

Thorold Rogers [2] took a far more favourable view. For him in the fifteenth century the English nation was singularly prosperous. There was no zeal, hardly any character, no learning at all, no history beyond the battle of the kites and crows; but there was solid, substantial, unbroken prosperity. It was the golden age of the English husbandman, the artisan, and the labourer. Agricultural prosperity was almost unbroken, and the condition of the townsfolk was even more satisfactory.[3] Yet, on grounds which seem very inadequate, Rogers thought the century was a period of almost complete intellectual stagnation,[4] a condition which would be hardly compatible with abounding material growth. With better reason he argued that the mass of the people were indifferent to the war, on the ground that after reading thousands of documents penned during the heat of the strife he had found only one allusion to the character of the times in 1460 and another

[1] *Plumpton Correspondence*, pp. 25, 26, 38–9.

[2] Thorold Rogers and Denton are taken simply as exponents of the two extreme opinions.

[3] *History of Agriculture and Prices*, iv. 3, 5, 23. [4] *Ib.* iv. 20.

in 1471.[1] That is borne out by my own reading so far as it extends,[2] though it would perhaps be safer to argue that the war caused little disturbance to everyday life, than to hold that silence on such a matter meant indifference. If the bailiff or bursar had found that the war disturbed his business some mention would almost certainly have appeared, but he would not have introduced irrelevant references to extraneous events.

A very different impression is given in Denton's *England in the Fifteenth Century*, where the material is woven into a picture of the gloomiest hue. Commerce, he writes, had been almost destroyed by the incessant wars. Land formerly cultivated lay waste for want of hands to till it. Hamlets had disappeared and could only be traced by the ruins of the grange or of the church in which sheep were now folded.[3] The gentry had suffered in common with the yeomen and tenants, so that there were not enough persons qualified to serve as sheriffs or jurors.[4] All the towns except London were well-nigh ruined. The licence encouraged by civil war and the example of a dissolute baronage had injured the moral tone of the nation. To crown all came the actual loss of life in the civil war, for which 80,000–100,000 is suggested as not an exaggerated estimate of the number of soldiers who perished in the strife, with at least as many more for deaths by want, exposure, and disease.[5]

[1] *Ib.* iv. 19; the documents referred to are accounts.

[2] For instance there is no reference in the copious accounts of Tattershall College which cover the whole period.

[3] This rests on a passage in More's *Utopia* (p. 52, ed. Lupton). But the argument there, and in some parallel statements elsewhere, is of the evil results that followed on the change from tillage to pasture, and of the greed of those who grew rich at the expense of peasants. Landowners, More lamented, 'leave no ground for tillage, they enclose all in pastures; they throw down houses: they pluck down towns: and leave nothing standing but only the church to make it a sheep house.'

[4] A statement, perhaps rhetorical only, which appears in a statute of Henry V, passed at an exceptional time when many were absent on the French War.

[5] *England in the Fifteenth Century*, pp. 115, 118–19.

It is quite impossible to reconcile two such conflicting opinions. Neither indeed is acceptable; both seem to rest on too hasty generalizations, assuming that what was true for particular times or places was capable of universal application. Nevertheless in both there is an element of truth; for in a time of rapid change and social disintegration there is nothing strange in the appearance of what seem to be incompatible phenomena. So in the fifteenth century there are everywhere signs of decay, and everywhere we encounter evidence of reconstruction on new lines. Morally, intellectually, and materially it was an age not of stagnation but of ferment; not indeed of achievement, but none the less of promise. To those who live at such a time the decay is always more obvious than the promise, and the gloom which brooded over fifteenth-century chroniclers has been reflected in the works of subsequent writers. If the opinion expressed by Thorold Rogers comes nearer the truth, it is because his attention was set upon what was living and capable of bearing fruit. The remains of the dead past were but a superficial characteristic of the age, and do not touch its essential quality.

It is, I think, a cardinal error in the opinion of which Denton is the most pronounced exponent to assume that the Wars of the Roses were a main cause of the troubles of the time. Had those wars been responsible for the death of anything like 200,000 people, it is probable enough that the results would have justified to the full the rest of Denton's criticism. But one can only describe such an estimate as a wild exaggeration.[1] Even at Towton and Tewkesbury it is improbable that the numbers on either side much exceeded 5,000, and some of the other 'battles' were in truth little more than skirmishes. In the more sporadic fighting both the numbers engaged and the numbers slain were small. No argument can be deduced from the losses of the nobility, which was decimated as well by executions as by battle; the gentry suffered in

[1] The whole population probably did not exceed three million.

like manner, but to a less degree, and people of humble rank hardly at all.

In other respects Denton's judgement appears to rest on a too ready acceptance of the superficial evidence afforded by contemporary statements. Were it correct it would be difficult to explain the strength of the intellectual movement of which illustration is given above. Nor if commerce had been almost destroyed and all towns but London well-nigh ruined, would it be possible to understand the mercantile enterprise and the vigorous municipal life which were amongst the characteristics of the age. Much land had, it is true, gone out of tillage, and towns and villages had in consequence decayed. But sheep graziers grew rich, and other towns flourished on the cloth trade, which fostered the development of commerce on international lines. Even Denton has to admit the greater depth of religious earnestness which was evident at the close of the century. That he attributes to the influence of Lollard teaching, which is no doubt a force to be taken into account. But in spite of the worldly corruption amongst the higher ecclesiastics and the decay of monasticism, the old forms of religion still retained their hold on the great mass of the people. The fifteenth century was the heyday of religious gilds and an age of church building and charitable foundations. In religion and morality no more than in other things did the decay of the old order mean utter destruction, neither could it blast the promise of a better future.

Some of Denton's conclusions appear to rest only on isolated instances which are not capable of general application. Others, though better justified, depend on sources which are not lacking in the imaginative element. Accuracy was not a foible of the medieval mind. The writer of the fifteenth century had no trustworthy statistics nor any sense of proportion whereby to check such information as he possessed. One cannot believe the assertion that at Winchester in 1440 there were 11 streets, 17 parish churches, and 987 messuages which had

fallen into ruin during the past fifty years,[1] any more than one can accept the stories of armies of 100,000 or even 300,000 men in the Wars of the Roses. But if there was little regard for accuracy there was no lack of imagination. The medieval draftsman of a legal document was seldom at a loss for picturesque detail with which to embellish a prosaic fact. In his excuse it must be remembered that he had to make a case for his client, and that he, therefore, did not hesitate to employ such formulas as his experience had taught him were most likely to prove acceptable.[2]

This last criticism is peculiarly applicable to such cases as the preambles of statutes, petitions in Parliament, and Bills in Chancery, where rhetorical statements were introduced by way of justification. It is upon the evidence of such documents that the common opinion as to the almost universal prevalence of disorder in great part depends. But if we are to accept the sweeping allegations of disorder, we must accept also such statements as the commendation of the Duke of Suffolk in 1445 for his notable labour in the repression of all manner of riots and extortions within the realm.[3] Probably neither the allegations of disorder nor the praise were wholly unfounded, and neither were literally correct. In *Chancery Proceedings* we hear so often of trespass committed by a number of persons unknown to the complainant, but armed with all manner of weapons of war, that we are moved to suspect that the language is no more than a legal formula. Similarly if the offence is that of the forcible abduction of a woman, we shall probably be told that when she was lying in her bed in God's peace and the King's, divers persons broke into her house and carried her away, clad only in her kirtle and smock. In both

[1] *Cal. Pat. Rolls*, Henry VI, iii. 400. It may well be doubted whether there had ever been so many messuages in the whole city.

[2] See the notes by Mr. R. C. Fowler and Miss M. T. Martin on *Legal Proofs of Age* ap. *English Historical Review*, xxii. 101, 526, where it is shown that the details given in 'Inquisitions post mortem' often followed a conventional pattern which had been accepted as adequate for evidence.

[3] *Rolls of Parliament*, v. 73; see p. 159 below.

instances it was necessary to show that an offence had occurred of so serious a character as to call for the intervention of the Court of Chancery. If, as is often the case, only the Bill of Complaint is preserved, we have no means to check the accuracy of the statements. When we have the defendant's Answer, a different complexion may probably appear.

In the great suit between Thomas Stonor and Richard Fortescue, Stonor's servant, John Frende, alleged that Fortescue had come with other riotous persons to the number of fourscore and more arrayed in form of war, and taken him out of his house and kept him prisoner four days. In his Answer Fortescue stated that he had obtained a warrant from the sheriff under a writ of *supplicavit*, by virtue of which warrant four persons on his behalf had arrested Frende. In his Replication Frende declared that he had no knowledge of any writ or warrant, whilst adding a little further detail as to his own maltreatment. Fortescue's account of what happened receives some confirmation from the record of the proceedings which Frende instituted in the Court of Common Pleas against three of the persons named by Fortescue ; and also from Stonor's subsequent prolonged suit in the King's Bench and at the Assizes. Since in the end Stonor's adversary of Devonshire had no worship, but was non-suited to his great shame and dishonour, we must accept Fortescue's misconduct as proved.[1] But in this as in other cases what we have to do with is rather a wilful abuse of the forms of the law than a deliberate defiance of its authority.

The number of complaints of violence of which we have record is no doubt collectively large ; but whether, when we consider the length of time over which they are spread, that number (even if they were all proved) is sufficiently great to justify a sweeping allegation of rampant disorder is another matter. Moreover, it must be remembered that such complaints were common both

[1] *Stonor Letters and Papers*, i. 63–6, 73–86, 97.

before and after the Wars of the Roses. They are not, therefore, a peculiarity of the time. The warfare of the Berkeleys and Lord Lisle, and of the Earl of Devonshire and Lord Bonville, stands upon a somewhat different footing; but even these can hardly be regarded as typical. There is always a danger in basing our judgements on the evidence of what was amiss, unless that evidence can be checked by knowledge of its relation to those things in which there was no ground for complaint. Overmuch dwelling on the records of what was rather a common incident than a dominant feature of the age has, I believe, led to an exaggerated opinion as to the prevalence of open disorder.

In other respects also adverse criticism of the fifteenth century is not to be accepted without qualification, or until it has been brought into its proper relations of time and space. What was true of the last years of Henry VI or the first years of Edward IV was not true of the latter years of Edward IV and still less of the reign of Henry V. If in some districts agriculture decayed and towns languished, in others we find prosperity and flourishing trade. When the wool trade, which had become the staple of English industry, was so prosperous, it is impossible to maintain that commerce had been almost destroyed. London may have drawn to itself an increasing share both of inland and overseas trade. But if in the first half of the century Bristol had not yet recovered from the disaster of the Black Death, in the latter half it was so prosperous that its merchants vied in wealth and enterprise with those of London. It was Bristol and not London which took the lead in the equipment of John Cabot for his voyage of discovery. London and Bristol, moreover, did not stand alone. Places like Lynn and Boston had a lucrative share in the Baltic trade, and every little haven on the south coast was thronged with shipping. Even at such a port as Fowey there were nearly twenty vessels in 1451, and if their business was not always legitimate it was certainly profit-

able. There were dangers on the sea as well as on the land, but the enterprise of the fifteenth century trained the forefathers of the Elizabethan seamen and explored the way to an ocean-going commerce.

Much argument has been made of the badness of the roads and of the perils of travel. Bad the roads undoubtedly were, and bad they continued to be for three centuries later. But whilst so much of the traffic was still done by pack-horses, and whilst those who had occasion to travel most commonly rode, the evil was not so great as when waggons and coaches had come into general use. It is indeed not unlikely that the roads in the fifteenth century were more serviceable than they were at a later time when the increasing wheeled traffic had scored them with deeper ruts. The common complaints of ill-kept roads and broken-down bridges are often adduced in proof of neglect, but they are equally evidence of attempts at a remedy. The real mischief was the absence of any system, for which the frequent bequests of money for the repair of highways was a very inefficient substitute. As for other perils of travel, it may seem significant to cite from the *Paston Letters* seven instances of the danger of robbery on the road. But the real significance comes out only when it is observed that three of the cases belong to 1451 and 1452, two others to 1454 and 1455, and the last two to 1461 and 1471.[1] So the whole of them prove to have happened in exceptional times of disorder. For that matter, highwaymen and footpads were a common danger long afterwards, and I do not know that any peculiar pre-eminence can be claimed for the fifteenth century.

If I stop to give a novel instance of the dangers of the road in the fifteenth century, it is because it illustrates also how common travel was. On 20th May 1449 one John Rowle and others forced their way in at midnight to the Swan at Andover, a hostelry where many strangers were wont to be lodged. They searched every chamber and

[1] *Paston Letters*, Nos. 178, 217, 238, 241, 306, 466 (1461), 791 (1471).

assaulted the guests, both men and women, that were in their beds, taking away the caps and kerchiefs that they had on their heads, and putting them in such fear that people refused to stay there lest a like mischance might befall them.[1]

Certainly neither the badness nor the perils of the roads were such as to deter both men and women from undertaking long journeys. For persons of rank, who travelled with great trains of followers, the roads would in any case have been safe enough. But persons of less consideration also went to and fro readily. Thomas Stonor paid frequent visits to Kent and Devonshire, and his wife lamented his little abiding at home. Dame Elizabeth Stonor made light of riding from London to Stonor in the day. A messenger could go from Stonor to Horton in Kent in two days' riding and come back at once as quickly.[2] Richard Germyn advised Sir William Stonor, as a natural thing, to pay a visit in the summer to his Cornish estate, which should cause him to have the love of the gentlemen of the shire. Walter Elmes, who was Stonor's receiver, made his annual round of the estates, going first into Hampshire, then to Devonshire, and home by Gloucestershire. In like manner London merchants made their annual tours to visit country clients.

Carriers went regularly from town to town, and were employed for the conveyance not only of goods but also of letters and valuables. Richard Germyn sent up Sir William Stonor's plate by the carrier's pack from Exeter, though, as we have seen, Thomas Makyn hesitated to send money by the Oxford carrier, unless it were carefully concealed.[3] Much earlier than Makyn's time, James Vale, common carrier of Oxford, had been trusted in London with goods for a scholar at Oxford, from whom he was to bring back an obligation for 4 marks; the obligation proved bad, and the scholar had to give him a better one in the presence of the Chancellor and other

[1] *Early Chancery Proceedings*, 17/336.

[2] *Supplementary Stonor Letters*, pp. 21, 22.

[3] See p. 33 above.

worthy persons.[1] At Oxford the common carriers who were bringers or fetchers of scholars or their letters were secured special privileges by the University.[2] In the *Paston Letters* we learn that the carrier from Norwich took four days to reach London, and put up at Bossoms or Blossoms Inn in St. Lawrence Lane,[3] a hostelry which was still the resort of carriers and carters less than a hundred years ago. Chapmen, like carriers, made their rounds regularly, and between them (for the carriers were often hucksters) much of the inland trade of the country was maintained.

Instances of land travel can easily be multiplied, relating to all times and districts. Nor must the water-borne traffic of rivers like the Thames and Severn be overlooked. The barges plied regularly on the Thames from London, taking four days to Henley, where they used to deliver wine, fish, and household stores for Stonor. In Lincolnshire the dykes were used both for goods and passengers ; the materials for building Tattershall Castle and Church were thus brought from Boston and Lynn, and some of the glass for the church, which was purchased at Burton, may have come most of the way by water on the Trent.[4]

In the light of such evidence it is impossible to maintain that means of communication were either so difficult or so dangerous as is sometimes alleged. Nor would all this trade and travel have been possible if social disorder had been so universal or so continuous as is frequently supposed.

Whilst, however, we must be on our guard against the hasty acceptance of *ex parte* statements as conclusive evidence, or the assumption that individual instances are

[1] *Early Chancery Proceedings*, 11/467.

[2] *Munimenta Academica*, i, p. lix.

[3] *Paston Letters*, ii, p. 81 (where ' Rossamez ' is a mistake), iv, p. 174, v, p. 212. Blossom Inn Yard is still a receiving office for parcels for the L.N.E.R.

[4] *Manuscripts of Lord De L'Isle and Dudley* (Royal Commission on Historical MSS.), i. 198–9, 203, 213, 228.

capable of universal application, I do not intend at all to suggest that there were not many elements of social disorder. For this we may accept the first version of Hardyng's Chronicle, which he composed whilst still a Lancastrian, as reasonably unbiased evidence. In every shire, he wrote, misrule arose, the mighty preferred their quarrels, and the poor man's cause was neglected. There was no justice who dared put down the rioters when supported by men of high estate. The only remedy was for the King to withstand the beginnings of misrule and violence, and so suppress the maintenance which would not suffer the law to take its course. Thus alone was it possible to restore the happy days of Henry V, under the shadow of whose power all England dwelt in peace.[1]

It will be observed that Hardyng emphasizes the difference between the time at which he wrote and his earlier years. It is to this later time that the most bitter of other complaints belong. In the background of them all, as in Hardyng's statement, lies the evil influence of the great lords and local magnates, who wrested the forms of the law to their own advantage, suborned its officers to do their will, and in the last resort intimidated or bribed the jury who were empanelled to try an offence in which they were interested. Instances of the illegitimate interference of influential persons with the administration of the law were not uncommon at a much later date, and might almost be regarded as a matter of course. But here we seem justified in the belief that the evil was at its worst in the middle of the fifteenth century. Nevertheless the central government was well intentioned; good ordinances were made, but became a dead letter, like the elaborate provision for sea-keeping in 1442;[2] commissions of inquiry into alleged offences were duly issued, but interested persons got themselves appointed commissioners; and when a just report was made, the

[1] *English Historical Review*, xxvii. 745, 749.

[2] *Rolls of Parliament*, v. 59; see p. 81 below.

power to enforce it often failed.[1] The very forms of the law were used to defeat its purpose, as when chattels were taken by distress though the takers had only a feigned cause of complaint against the owners or perhaps not even that.[2] As Hardyng saw clearly, the remedy was the assertion of authority; but in the middle of the fifteenth century governance was the chief thing that was lacking.

The lack of governance was in part the result of the Lancastrian experiment, the premature endeavour of a dynasty whose power rested on a parliamentary title. That experiment was possible only when the direction lay in the hands of a strong ruler like Henry V, who could both use and control his parliaments, one who was not less conscious of his personal worth than of the duties which lay upon him as a national king. When the strong hand vanished, the system was bound to collapse. The Serpent of Division sapped the very foundations of authority. Even the sagacious wisdom of John of Bedford failed to restrain altogether the spirit of faction, which after his death found full play. Such questions of principle as separated the opposing parties turned upon the conduct of the French war.

The French war was itself a contributory cause of the social disorder. Apart from the strain which it had put on the machinery of government and its financial resources, it had fostered other evils. The army had been recruited by indentures of service, under which knights and nobles contracted for the supply of men; by such means lords had become rich whilst the King grew poor. At the close of the war the English lords found themselves in command of men who had been brutalized by long service in the field and for whom fighting was the sole employment. The old soldiers of France were not only the backbone of the armies in the Wars of the Roses but an unruly element in civil life. Even in 1442 there was

[1] See instances on pp. 80, 86, 90, 92, 96 below.

[2] *Rolls of Parliament*, v. 139.

complaint of marauding by soldiers on their way back from leave.[1] The road thieves who twenty years later called themselves 'King Harry's men' were no doubt persons of the same class.[2] After the French war of 1475 so many discharged soldiers took to plundering that the roads were not safe for merchants or pilgrims.[3] The problem of the discharged soldier is most difficult in a rudely organized state. But it is only one of the grave social and economic troubles which follow inevitably on a period of prolonged war, and we shall not to-day be disposed to under-estimate the difficulties which confronted the ministers of Henry VI as the French war drew to its disastrous close.

The lack of governance synchronized with the crisis in the process of economic and social change which had its origin in more remote causes. The troubles thus engendered found expression in the discontent of the nation at the failure of the war. The unpopularity of the peace policy of Suffolk was a primary cause of his downfall, and the fact that Richard of York was heir to the war policy of Humphrey of Gloucester was one of the reasons that brought him into favour. Even after Edward IV's inglorious campaign in 1475 discontent was so great that the Croyland chronicler believed that if the people could have found a leader they would have risen in rebellion.[4] There were of course other and deeper causes: the troubles incidental to a period of economic change, and the burdensome taxation which was a legacy of the French war. But in their blindness to the real causes the people seized on what was superficial, under the false expectation of a quick remedy through a change of government.

Political discontent thus afforded the occasion for the beginning of the Wars of the Roses. Theoretically the issue was the succession to the Crown. In practice the wars degenerated into a fight for power between two

[1] *Rolls of Parliament*, v. 61. [2] *Early Chancery Proceedings*, 31/165.
[3] *Croyland Chronicle*, p. 559. [4] *Id. ib.*

factions. What made them possible was the lack of governance and the social disorganization, which they had not created though they may have aggravated. We cannot understand their true character unless we realize that they were rather a consequence than a cause of the disintegration out of which a new and better order was to spring.

IV

WEST COUNTRY PIRACY: THE SCHOOL OF ENGLISH SEAMEN

To his enemies Francis Drake, though the greatest of Elizabethan seamen, was but an arch-pirate, and his earliest exploits were of a character which could not be justified on any modern principle of naval warfare. But whether as pirate or patriot, he was the successor of a long line of west country seamen, who by their achievements, legitimate or otherwise, helped to lay the foundations of English maritime supremacy. When, however, we speak of these early seamen as pirates, it is necessary to bear in mind that the word had a wider meaning than it has to-day, and was applied alike to those who were at the worst unlicensed privateers and to those whose only object was plunder. So amongst fifteenth-century pirates we find such persons as Sir John Prendergast, the North Sea rover who captured James of Scotland on his way to France; the redoubtable privateer Harry Pay of Poole; and the rich Dartmouth merchant John Hawley. These men sailed often under Letters of Marque, though they were not scrupulous enough in their employment to escape getting into serious trouble from time to time. The evil indeed was not all on one side, and between English, French, Flemings, Bretons, and Spaniards there was little to choose. Thus much of the maritime warfare in the Channel might be described rather as a system of mutual reprisals than as piracy in the modern sense. However excusable the issue of Letters of Marque may have been, it probably did as much to foster piracy amongst English seamen as to check its practice by foreigners. So at the other end of the scale we find men

who seem to have had no better motive than plunder. Hawley and Pay, as we shall see, could play the patriot; but amongst their contemporaries and even their associates there were others for whom no such palliation can be alleged.

The prevalence of piracy in the narrow seas was always a difficulty for the English government in the Middle Ages. In a sense it was a natural incident of the commerce of the time, when all ships went armed for defence and yielded readily to the temptation of a favourable opportunity for attack on a weaker vessel. It often happened, moreover, that the relations with foreign powers were so doubtful that the sea-rover might find an easy excuse, if, having taken the law into his own hands, he made an unfortunate mistake.

The evil, by whatever name we call it, was too serious not to require some remedy. In 1353 a statute was passed which provided that if the goods of any merchant, who had been robbed at sea, were brought into an English port, the merchant, on proof of ownership by means of his charter or coket, or by the evidence of good and loyal merchants, might recover his property without the necessity of a suit at the Common Law.[1] Sixty years later, in 1414, it was enacted that all breakers of truces and safe-conducts at sea, and those who abetted, received, or maintained them, should be judged guilty of treason. In every port there was to be a conservator of truces, who was to have authority under a commission from the Admiral to inquire into alleged offences. All shipmasters before going to sea were to be sworn to observe truces and safe-conducts, and a register was to be kept of all ships with the names of their owners and masters and of the number of seamen. When any prize was brought in, the conservator was to be at once informed.[2] It was under these two statutes that the legal proceedings to which we owe our chief knowledge of the history of piracy in the Channel were commonly taken.

[1] *Rolls of Parliament*, ii. 249. [2] *Ib.* iv. 22.

Such enactments were at best only a palliative, and redress was uncertain. Early in the reign of Henry VI a ship of Dunkirk, laden with goods belonging to Symon Rydoul, a merchant of Amiens, was captured by malefactors of Ducheland and brought into Fowey, where the goods were sold to a merchant of that town named John Smyth. Fortified by letters from the Duke of Gloucester, Rydoul endeavoured to recover his property, but Smyth hired certain persons, who threatened to throw Rydoul into the sea, and held him prisoner on a ship in the harbour till for fear of death he executed a deed surrendering his claim to his captors.[1] A little later a Breton ship was taken in time of truce by certain misdoers of Devonshire. The deputy of the Admiral empanelled a jury, but it was chosen from amongst the misdoers and the owners and victuallers of the piratical vessel or their kinsmen and friends. Then this jury, with the connivance of the Admiral's deputy, returned a false verdict that the prize had been lawfully taken.[2] Whether the allegations in these two cases were well founded or not, they illustrate the inevitable failure of the law.

The remedy for the evil lay in the efficient keeping of the seas by a royal fleet. But except during the reign of Henry V, sea-keeping was intermittent and generally bad. In its absence the only means for protection against foreign pirates lay in reprisals. Therein, however, the English seamen found themselves hampered by the stringent statute of 1414. In 1430 and again in 1431 petitions were presented in Parliament pressing for a relaxation, but were refused.[3] In 1435 it was again represented that the penalties were so rigorous and pressed so hard on the King's subjects that his enemies were emboldened, and his merchants being in consequence discouraged, feared to build new ships. Thereon at last

[1] *Early Chancery Proceedings*, 7/119. The date is between 1426 and 1432.
[2] *Ib.* 11/45. The date is between 1432 and 1443, and probably before 1435.
[3] *Rolls of Parliament*, iv. 350, 376.

it was agreed to suspend the statute for seven years. At the end of this term the statute was once more suspended, on this occasion for twenty years.[1] Experience, however, proved that the operation of the statute had been on the whole beneficial, for when the restriction was removed English pirates began soon to prey upon native as well as foreign merchants. At the same time the provision for sea-keeping had never been worse. In 1442 an elaborate ordinance was passed to have ships in the royal service on the sea continually from Candlemas to Martinmas, and vessels were assigned for service at all important ports.[2] Probably like other good enactments of the time it remained a dead letter; and when we find that the balinger *Palmer*, which was stationed at Fowey, was herself engaged in piracy, we may begin to suspect why the law was not better kept.

In 1451 another attempt was made at legislation and the statute of 1414 against breakers of truces was confirmed, whilst the Chancellor, calling to him one of the two Chief Justices, was to have power by writ to bring offenders before him; those who appeared in answer were to be exempt from the penalty of treason under the statute, and a further provision protected owners and victuallers who had not been parties to the offence nor receivers of the goods; the new statute was made retrospective from 1st September 1446.[3] This final enactment may account for the great increase of cases of piracy in the Chancery Court during subsequent years; but its practical effect, as we shall see, was not great. No real remedy was to be found until a stronger government not only enforced the law on land but kept the peace at sea.

This account of the legislative history has seemed necessary to the better understanding of the narrative to which I will now turn. I propose to confine my attention to piracy in the western counties, partly because a review of the whole history, including both the Straits and the North Sea, would leave too little space for the details on

[1] *Ib.* iv. 493. [2] *Ib.* v. 59. [3] *Ib.* v. 224.

which much of the interest of the subject depends, and partly because piracy was perhaps practised most persistently by the mariners of Devon and Cornwall. They could issue from the numerous little havens on their coasts to prey as well upon ships coming up the Channel and upon those proceeding by the Severn Sea to Bristol. They also could and did strike farther afield, and sometimes found their plunder on the very coasts of Spain.

A writer early in the reign of Henry IV complained that piracy had become so common that the seas were no longer safe, and lawful trade had been made impossible.[1] Then and for sixty years after, the rovers of Dartmouth and Fowey held the foremost place; but there was no haven from Poole to Penzance which did not at one time or another send out ships to share in the spoil. The whole seafaring population was implicated, and in any port the rovers might find friends to help in the disposal of their booty. It is not, of course, to be supposed that there were no ships engaged in legitimate trade. When in 1451 Fowey supplied ten vessels for service in the expedition to Bordeaux, the list does not include more than one or two which are under suspicion of piracy.[2] But for the most hardy and adventurous, piracy had no doubt a fascination, and they gathered to themselves not only outlaws and banished men, but also kindred spirits from other seafaring peoples, so that almost at any time we find amongst the West Country pirates Zeelanders and Dutchmen.[3]

Into the history of piracy in the early part of the century I do not propose to enter at any length. The two most notable men of that time, Harry Pay of Poole and John Hawley of Dartmouth, stand almost in a class by themselves. Pay in his degree had made his name as dreaded in Spain as was that of Drake nearly two hundred years after. In 1395 he had carried off the crucifix from

[1] *Royal Letters*, i. 48. [2] *Cal. Pat. Rolls*, Henry VI, v. 448–9.
[3] *Ib.* Henry IV, iv. 221; *Rolls of Parliament*, iv. 350. The terms mean, of course, Flemings from Zeeland, and Hollanders and other Germans.

the calvary on Cape Finisterre and sacked the town of Gijon in Asturias.[1] For years afterwards he was busy with the Spanish trade. In 1402 he captured a ship of Bremen coming with a rich cargo from Spain,[2] and in the following year on 27th October seized *The Marie* of Bilbao, which was laden with iron and rich robes and clothes to the value of 5,000 nobles. Many of the crew of *The Marie* were killed in the fight, and the rest were beaten, wounded, and ill-treated. Pay brought his prize into the Isle of Wight, where he put the survivors to sea in a little boat and refused to make restitution when ordered.[3] When in 1405 the Spaniards sent a squadron under Don Pero Nino to the English coast, Poole was the special object of their attack. Nino landed his crews, intending to sack the town; but the English fought so stubbornly and their archers shot so fast that the invaders were stuck full with arrows like so many Sebastians. In the end, however, the Spaniards proved too strong, and the men of Poole were driven back after a hard fight, in which Pay's brother was killed.[4] Pay again showed himself a bold fighter, when in the following year he turned the tables on a French ship by which he had been boarded, and taking his captor captive sailed with her up the Seine, where he did much damage.[5] Though now and again in trouble with the English government,[6] he was himself employed in keeping the seas under Thomas Berkeley in 1405,[7] and in 1406 with a squadron of 15 ships was instrumental in capturing no less than 120 French merchantmen.[8] He seems to have ended his career honourably as water-bailiff at Calais, with a pension from the King.[9]

John Hawley had a not dissimilar career. He was a

[1] Gamez, *Chronique de Don Pero Nino*, 109–10.
[2] *Cal. Pat. Rolls*, Henry IV, ii. 131. [3] *Ib.* ii. 361, 364.
[4] Gamez, *u. s.*, 302, 303. [5] *Annales Henrici Quarti*, 386–8.
[6] Cf. *Cal. Pat. Rolls*, Henry IV, ii. 279. [7] Wylie, *Henry IV*, ii. 302.
[8] Walsingham, *Historia Anglicana*, ii. 272, 275.
[9] *Cal. Pat. Rolls*, Henry V, i. 27; and Wylie, *Henry V*, i. 40.

merchant of Dartmouth, and whether by lawful or unlawful trade grew to be a man of wealth with landed estates. He may perhaps have begun piracy in reprisal for losses which he had suffered. At all events he appears in 1403 as one of many English pirates against whom the Flemings made complaint.[1] But though he was summoned before the Council nothing came of it, and the next year witnessed his greatest exploit. On 18th October 1403 a fleet of ships from Bristol, Dartmouth, and Plymouth, of which Hawley and Thomas Norton of Bristol were admirals, seized seven vessels laden with goods of merchants of Genoa, Navarre, and Castile, and in spite of the orders of the government refused to make restitution.[2] Yet Hawley had been the Admiral's deputy, and at this very same time was actually employed as a commissioner to inquire into another piracy.[3] Like Pay he was a good fighter, and in 1404 he was foremost in the defence of Dartmouth against the Bretons under Tanneguy du Chastel.[4] That may have led to his appointment two years later as a commissioner to survey and fortify the port of Dartmouth.[5] So he made a good end, and when he died was buried under a fine tomb in Dartmouth Church.

Pay and Hawley played the parts of patriot and pirate in turn, and in spite of occasional backslidings their careers were on the whole not unworthy. There were other so-called pirates of a like kind. Richard Spicer of Plymouth, who twice captured galleys belonging to the Florentine Society of the Albertini, had been employed on the King's service in Portugal,[6] and when in 1403 *The Trinity* of Plymouth was captured by the French off the Isle of Wight, Spicer came to the rescue and recovered the ship.[7] Probably there were few of the more reputable of these sea-rovers whom the English government was not ready to employ in case of need. Mark Mixtow[8] of

[1] Wylie, *Henry IV*, i. 380.
[2] *Cal. Pat. Rolls*, ii. 360, 363, 426–8.
[3] *Ib.* ii. 360.
[4] *Royal Letters*, i. 270.
[5] *Cal. Pat. Rolls*, Henry IV, iii. 152.
[6] *Ib.* i. 271, 276, 312; ii. 357
[7] *Ib.* ii. 277.
[8] From Mixtow on the Fowey estuary.

Fowey and William de Meer of Truro, who were in trouble in 1403 for the seizure of Spanish ships contrary to the truce, had in the previous year been employed in searching for the King's enemies at sea.[1] On the earlier occasion Mixtow is described as admiral or captain of three barges, of one of which William de Meer was master; he made use of his opportunity to capture a wine-ship belonging to the Hanse merchants. Mixtow was one of the notorious offenders of whom the Flemings made complaint in 1403. Even licensed privateers were not particular as to their prey, so long as the uncertainty of English relations with foreign powers made excuse easy. When in 1406 John Gascoygne of Fowey and John Mayhew of Dartmouth were called to account for the capture of a ship of Lisbon, they pleaded in defence that both ship and goods were owned by Bretons.[2]

In the long lists of piracies during the earlier years of Henry IV there must have been many which it would have been difficult to defend.[3] Pay and Hawley stood at the head of a profession which descended imperceptibly to men whose only purpose was pillage. In the truce made between England and France at Leulinghen in 1403 it was agreed that no banished men or sea-robbers should be sheltered in the ports of either realm. Two Englishmen, John Kyghley and John Kent, were specially included by name and were ordered to be arrested.[4] Nevertheless next year John Kyghley, squire, sailed into Weymouth harbour on board of a ship of Richard Spicer and carried off the *Marie* of Bordeaux as she lay there at anchor.[5] Better sea-keeping seems to have produced some improvement in the last years of Henry IV, and piracy did not again become a serious evil till twenty years later.

John Hawley of Dartmouth had a son and namesake who followed in his footsteps. The younger John Hawley began his career auspiciously by service in the King's fleet

[1] *Cal. Pat. Rolls*, Henry IV, ii. 133, 276. [2] *Ib.* iii. 301, 350, 357.
[3] See *ib.* iii. 228, 418. [4] *Ib.* ii. 201. [5] *Ib.* ii. 424.

under Richard Cliderowe in 1406.[1] He appears from time to time in the royal service down to the end of the reign of Henry V,[2] and on several occasions was on commissions for the arrest of pirates.[3] He was feodary and escheator for the counties of Devon and Cornwall before 1414,[4] and in 1422 was deputy for the King's butler in the port of Dartmouth.[5] At the same time he was indulging in piracy on his own account. In 1413 he was in trouble for having captured a Spanish ship *The Seint Croice*; but since he was then acting under Letters of Marque granted in reprisal for piracies done by the men of Santander,[6] it is possible that he was guilty of no more than an excess of zeal. It is not so easy to explain the capture by Hawley's servants about the same date of a Breton ship *Le Grace Dieu*, which had been laden by Robert Russell, a merchant of Bristol, under a safe-conduct granted by Henry IV. Russell made his petition in Chancery, alleging that Hawley had refused him restitution;[7] possibly it was on this account that order was given for Hawley's arrest in August 1413.[8]

Hawley's most serious offence did not occur till 1427. On 30th July of that year John Lovell, a Scottish merchant, was lying in time of truce off Oleron, when there came John Hawley of Dartmouth, squire, and took his ship and spoiled him of merchandise to the value of £220. Thereupon Lovell made his complaint to the English Council, by whom a commission was issued for Hawley's arrest. Then Hawley went with excuses to Lovell and promised that if a commission could be obtained to him for the arrest of some forty other persons he would make good all Lovell's losses. Lovell did as he was desired. Hawley got his commission, arrested divers persons and

[1] *Cal. Pat. Rolls*, Henry IV, iii. 239.
[2] *Ib.*, Henry V, ii. 274–92; Wylie, *Henry V*, i. 330.
[3] *Cal. Pat. Rolls*, Henry V, i. 35, 36, 111; ii. 203; Henry VI, i. 124.
[4] *Ib.*, Henry V, i. 256. [5] *Ib.*, Henry VI, i. 8.
[6] *Early Chancery Proceedings*, 6/120; *Cal. Pat. Rolls*, Henry V, i. 17, 35.
[7] *Early Chancery Proceedings*, 6/123.
[8] *Cal. Pat. Rolls*, Henry V, i. 116.

took of them notable sums, but kept not his promise, and over that prevented Lovell from making terms with other of his despoilers.[1] The story is an extraordinary one, but receives confirmation from the appearance in the Patent Rolls of two apparently contradictory commissions: the one on 16th November 1428 to the Earl of Huntingdon and others for the arrest of Hawley; and the other on 3rd December to Hawley himself and others for the arrest of nineteen persons; amongst the latter there appear two whom Lovell in his petition named as having been concerned in the piracy.[2] Lovell's case illustrates the way in which justice was defeated when the offenders were persons of influence, and how for lack of better redress the sufferer was often glad to make terms with his captors. It does not appear whether Hawley was ever brought to account; in 1430 he was again a commissioner for the arrest of obvious pirates,[3] and as late as 1436 was on a commission of array for Devonshire.[4]

John Hawley the younger was a man of like quality to his father and Harry Pay. But with the great increase of piracy after 1430 we come to a class of men, most of whom there is no reason to suppose were anything but deliberate plunderers. The few instances of piracy which I have noted between 1420 and 1430 are probably not all that occurred, but equally the more numerous ones of a later date are probably only a sample. The sequel will show that even the pretence of redress was possible only for those who could command some influence. Smaller folk had not the means to obtain it, and probably would not have dared to complain when the pirates themselves had so many friends. It will be best to tell the history in the exploits of some of the most notorious pirates.

John Mixtow of Fowey was perhaps a son of the Mark Mixtow of 1403. He first appears in a rather curious case.

[1] *Early Chancery Proceedings*, 20/18.
[2] *Cal. Pat. Rolls*, Henry VI, i. 548, 549.
[3] *Ib.* ii. 73.
[4] *Ib.* ii. 519.

On 12th December 1429 three Breton ships laden with salt came into Penzance, where they sold their cargo and purchased a quantity of cloth for the home voyage. The cloth had already been put on board when Robert Mynnor of Marazion and William Bosy of Mousehole, with others of their fellowship, came and took both ships and cloth by way of war and in breach of the truce. Then John Mixtow of Fowey and Henry Nanskaseke of Truro appeared and had the ships arrested by John Moure the Admiral's deputy; this they did by virtue of a mark granted to Nanskaseke's father by the Duke of Brittany nineteen years before. The Bretons, thus doubly distressed, appealed for a writ to compel Moure, Mixtow, and Nanskaseke to submit their claim to examination.[1] What came of it we do not know, but it is probably an instance of the readiness with which officials entered into collusive agreements with pirates.

A few years later Mixtow was the leader in a more downright act of piracy. In 1433 John Chirche of London shipped at Seville, through his agent, eight tuns of oil in a Genoese carrack, which was freighted with other goods of Genoese merchants. On 26th July the carrack encountered off Cape St. Vincent a great ship called the *Edward*, with a balinger, manned by 200 armed men and commanded by John Mixtow. Though the Genoese crew offered no resistance, Mixtow put them ashore destitute in Portugal, alleging, as the Bill states, that they were 'Sarasenes,[2] which they were not;' and brought the carrack with her cargo, and apparently the merchants, to Fowey. Chirche and the other merchants offered to prove their ownership before the mayor by the marks, charters, and cokets as required by the statute, but were refused redress. Chirche then made a petition in

[1] *Early Chancery Proceedings*, 20/19. It is an early instance of a Bill in English. Henry Nanskayck, 'shipman', had been in trouble for breaking a close at Bodrugan in 1426; *Cal. Pat. Rolls*, Henry VI, i. 360.

[2] This seems to be an early example of the use in Cornwall of 'Saracens' as a name for foreigners; though the lawyer who drew the Bill clearly took the word in its ordinary meaning.

Chancery, and the merchants of Genoa in London also took up the case and obtained a commission of inquiry. Another commission was issued to see that recompense was made to Chirche, but the record is followed by the significant entry that it was vacated because nothing was done in the matter.[1] Of Mixtow we do not hear again, but his ship *The Edward* appears in a still more notable case nearly twenty years later.[2]

Mixtow had figured in a list of pirates in 1431, and in the same list appears one with the appropriate name of William Kyd.[3] Kyd was master of a balinger, called *La Trinite* of Exmouth, in which with a number of other West Country pirates he seized in 1430 a Breton vessel off Guernsey. Two years later, in company with William Aleyn and others, he captured four ships bound with provisions to Rouen.[4] In 1436 he sailed with a fleet of eight barges and balingers into the harbour of St. Pol de Leon in Brittany, seized the ship *Seynt Nunne* which was lying there under safe-conduct, and carried her off to Plymouth, together with the goods of one Thomas Horewoode to the value of £100.[5] Kyd had a long career, and in 1448 seized *La Marie* of London off Queenborough in the Thames when on a voyage from Flanders with a cargo shipped by London merchants, took her into the Isle of Wight and there sold his booty.[6]

Kyd's most noteworthy exploit was the capture of *The Marie* of St. Andrews in November 1453. When he brought his prize into Exmouth one William de Kanete (or Kennedy), a knight of Scotland, appeared on the scene and went to Thomas Gille, who was controller of the customs of Exeter and Dartmouth. Kanete, pretending to be brother of the Bishop of St. Andrews and owner of the *Marie*, concocted with Gille to obtain a commission for the delivery of the ship, which Gille should then be

[1] *Early Chancery Proceedings*, 11/204; *Cal. Pat. Rolls*, Henry VI, ii. 352, 356.
[2] See p. 95 below.
[3] *Cal. Pat. Rolls*, Henry VI, ii. 133.
[4] *Ib.* ii. 128, 202.
[5] *Ib.* iii. 83.
[6] *Ib.* v. 140, 186.

allowed to purchase at his own price. A commission was obtained accordingly, and Gille and his colleagues certified that after an inquiry held at Exeter on 10th August 1454 they had ordered the delivery of the ship to Kanete. As a matter of fact, the ship was the property of the Bishop of St. Andrews, who disclaimed all knowledge of William de Kanete. *The Marie* had been freighted for the bishop with a cargo of wine by William Mayowe, fishmonger of London. When the bishop heard of his loss he had a ship called *The John* of Caleys, which chanced to be in Scotland with goods belonging to Mayowe to the value of £300, seized as security for the recovery of his own vessel. This roused Mayowe to obtain an order for the arrest of *The Marie* which was then at Sandwich, but the pirates so threatened the commissioners that for very dread they departed. After that Mayowe presented a petition in Chancery against Gille. Gille denied that he had any knowledge of such an untrue suggestion by Kanete, and pleaded in defence the evidence of the King's commission and the report thereunder. Mayowe in reply asserted that Gille was well aware of the piracy and had possession of the ship and goods. Bishop Kennedy, who was a man of great importance, gave Mayowe his support; and finally on 6th March 1456 a fresh order for the arrest of the ship, which was stated to be at Dartmouth, was issued. But then it transpired that the name of the ship had been changed to the *Antony* of Dartmouth, and that in order to prevent execution she had sailed on 18th February under fraudulent letters of licence on a voyage with pilgrims to Santiago in Spain.[1] Though a renewed order for restitution was made, the proceedings, as in other cases, probably proved abortive.

One of the most notorious of the West Country pirates at this time was John or Hankyn Seelander, who traded in turn from Falmouth and Fowey. In 1436, when he is called John Zeland, with a great ship of Falmouth and two

[1] *Early Chancery Proceedings*, 24/3–6, 261; see pp. 179–82 below; *Cal. Pat. Rolls*, Henry VI, vi. 170, 301, 303.

balingers of Plymouth, he seized five Flemish ships when on a voyage from Lisbon.[1] Probably he is the same as Hankyn Hode of Falmouth,[2] who on 31st May 1441 captured in time of peace a Breton ship, *Le Cristofere* of St. Servan, together with four other ships off the Isle of Wight, and sold their cargo of wine and salt at Newport. The pirates clearly had friends in the town, and the wine was being sold cheap to all comers, when the Steward of the Island, William Layot by name, intervened and set a rule what every man should have, some more and some less, as they might be friended with him. When the Breton merchants presented their petition, two of those who had been chiefly concerned in the forced sale pleaded that the goods were well taken by Hollanders and Seelanders, and that since Hankyn had given one of the captured vessels to them and their parish, they ought not to be called to answer without the whole parish. This the Breton merchants rightly regarded as a dilatory plea and prayed again for redress, since through poverty they could not abide and would be forced to go home and lose all for lack of law.[3]

It was Hankyn Seelander who in 1443 captured the *Cristofere* of Legue in Brittany. The cargo included more than 100 tuns of wine besides iron and leather, and the greater part was distributed amongst a number of persons, chiefly in Fowey, but some as far afield as Tavistock and Chard.[4] There were the usual orders for the arrest of the piratical ships and restitution of the goods; but though the Breton merchants had influential attorneys in London,[5] nothing seems to have resulted.

On 22nd December 1443, as the pinnace *Mighell* of

[1] *Ib.* ii. 527. He occurs as John Seelander in 1439; *ib.* iii. 373.

[2] His ship was *Le Marie*. He seems to have had with him two other ships of Falmouth and one from Truro; *ib.* iii. 576.

[3] *Early Chancery Proceedings*, 11/431, 12/208; *Cal. Pat. Rolls*, Henry VI, iii. 574.

[4] *Ib.* iv. 244, 338.

[5] One was John Wenlok.

Dartmouth, laden with cloth and wine belonging chiefly to English merchants, was about to enter Plymouth harbour, there came out a barge called *Le Palmer*[1] of Fowey whereof Hankyn was owner, captured the pinnace and carried it off to Newport in the Isle of Wight, where one Thomas Rede hosted them, comforted them in their robbery, and retailed the stolen goods.[2] In the same year Hankyn spoiled a Spanish ship sailing from Southampton with a cargo of cloth,[3] and he was still at work in 1456 when he captured and brought into Portsmouth a Portuguese carvel.[4]

One of Hankyn's associates in 1441 was John Fresshowe of *La Fleur de la Mer* of Falmouth. The name John seems to be an error,[5] for he was certainly the same person as Nicholas Frychowe, captain and part-owner of the barges *Jesus* and *Flour* of Falmouth, who in that same year captured *La Marie* of St. Malo when coming to England under letters of protection. Both ship and cargo of wine were sold after the usual fashion. Repeated commissions of inquiry were issued; but the case was still unsettled in 1446, when an inquisition having found that certain persons had received the wine, an order, rather late in the day, was given for it to be seized.[6] It may be doubted whether a further order to sell the goods of some of the offenders was any more effective.

Mixtow, Kyd, Hankyn, and Frychowe are of course only prominent representatives of a numerous class. Amongst lesser men may be mentioned William Aleyn,[7] who was an associate of Kyd in 1432 and the leader of an audacious piracy off Thanet in 1448, and Clays Stephen of Portsmouth, also one of Kyd's company, who has a long list of piracies to his credit between 1448 and 1456.[8]

[1] See p. 81 above.
[2] *Early Chancery Proceedings*, 16/234; *Cal. Pat. Rolls*, iv. 246.
[3] *Ib.* iv. 290. [4] *Ib.* vi. 300. [5] *Ib.* iii. 576; cf. iv. 423.
[6] *Ib.*, Henry VI, iv. 47, 107, 288, 423. In the last document Frychowe is called John. [7] *Ib.* ii. 133, 202; v. 187.
[8] *Ib.* v. 140, 188, 190, 432, 435; vi. 167, 258, 301.

Amongst Frychowe's companions we find a number of foreigners like Giernek Dutychman, Herman Dawman, and Beerun Bassebas. It is fairly clear that the pirates worked together, and in some of their biggest exploits several vessels were concerned; but though the chief pirates must have been and were notorious, there is no evidence that any of them were brought to justice. The government was not entirely to blame, for when its own officials had sometimes profitable dealings with the pirates, when in every port there were willing receivers of stolen goods, and everywhere people ready to buy cheap wine, iron, leather or cloth, the task of repression must have been difficult indeed. The only effective remedy would have been better sea-keeping, the lack of which was one of the chief grievances of the last years of the reign of Henry VI.

The pirates, emboldened by the freedom with which they sailed the seas, abandoned any pretence of justification, and were as ready on occasion to capture an English vessel as a Breton or Spaniard. They no longer contented themselves with seeking their prey near at hand, but like Kyd in 1448 and his comrade William Aleyn [1] in the same year dared to seize vessels in the Thames and carried them off down Channel. An inconvenient letter of safe-conduct was likely to be thrown overboard as the easiest means whereby to get damaging evidence out of the way.[2] A crew who resisted capture were probably roughly handled, though Mixtow's landing of his prisoners destitute on a barren coast seems to have been thought atrocious. If the owners of the captured ship succeeded in obtaining a commission of inquiry, and no artifice of guile availed, the pirates did not hesitate to use force. When John Salter was sent to Fowey to take possession of a Breton ship which Hankyn Seelander had captured, the seamen by threats of murder prevented him.[3] Nor

[1] *Ib.* v. 187.
[2] As John Seelander did in 1439; *ib.* iii. 373.
[3] *Early Chancery Proceedings*, 16/730.

was there always honour amongst the pirates themselves. When greatly against his will John Steven had been put in charge of a Breton ship which had been taken by a carvel of Fowey, it happened that the ship was recaptured and Steven taken prisoner to Brittany. But though his fellowship had faithfully promised that in such case they would pay his ransom, and though the money was duly collected, Michael de la Mote of Bodennek near Fowey, into whose hands the money had come, kept it for his own use and left poor Steven to languish in his foreign gaol.[1]

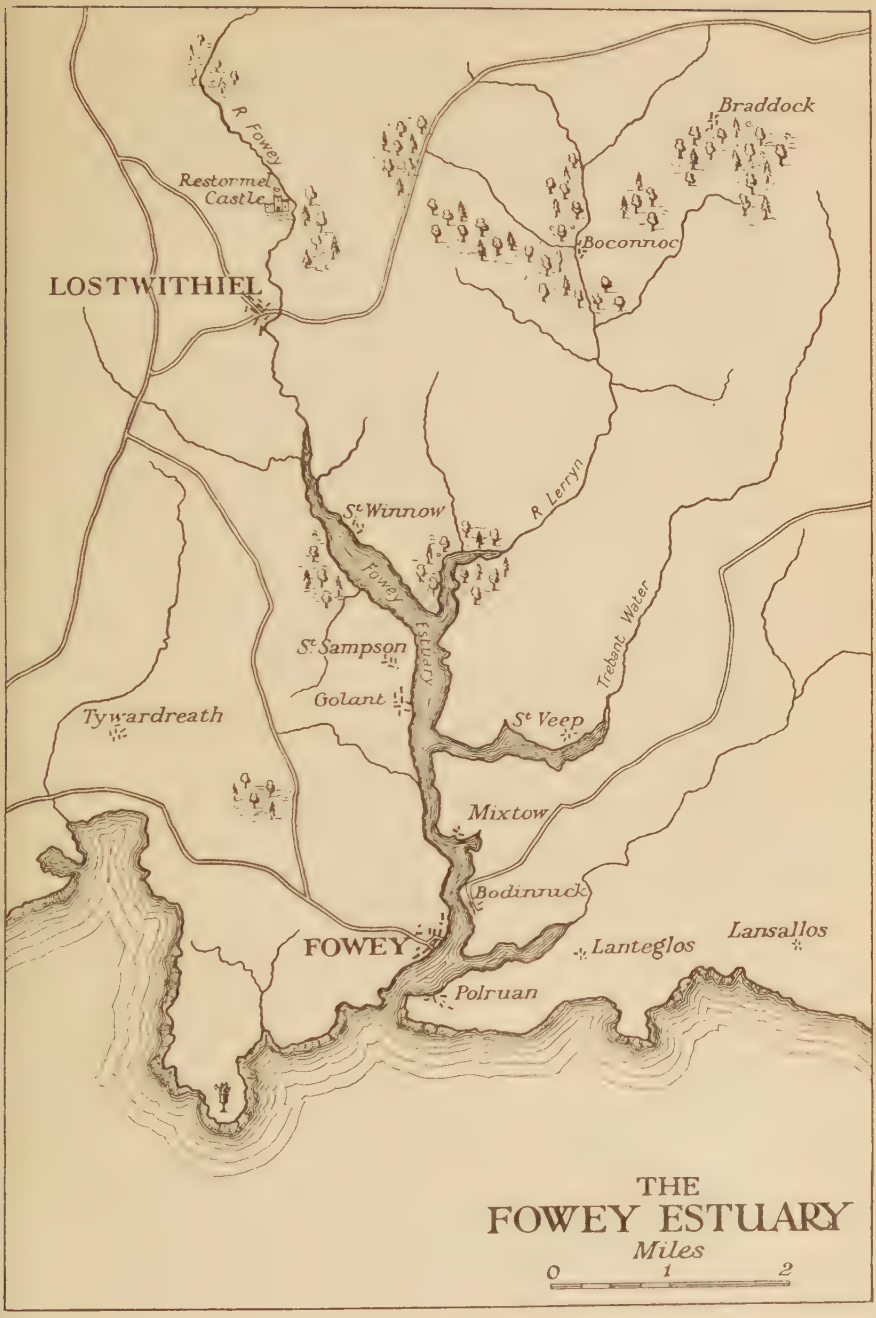
Such men as these, unlike Hawley and Pay, were mere freebooters, and though their long immunity was probably in part due to the secret support of more important persons, none of them were of any social position. But their success tempted some of a different class to seek their share of ill-gotten gains. The Cornish squires of the fifteenth century had probably always regarded piracy with the same easy connivance as their descendants three centuries later showed toward smuggling. How they now came to active participation will appear from three signal instances.

In 1449 Francesce Junyent,[2] a merchant of Barcelona, laded his galley, the *Seynt Antonye and Seynt Francisse*, at Sluys with goods for various merchants of Barcelona and Valencia, and at Southampton further cargo was taken on board, the whole value, as it was alleged, being no less than £12,000. As the galley proceeded down Channel she encountered a great tempest, and, trusting to the safe-conduct which he held, her captain took shelter outside Plymouth. On 27th November, whilst she lay at anchor, there came out of the harbour a ship called the *Edward* of Polruan,[3] with the barge *Makerell* of Fowey, manned by

[1] *Early Chancery Proceedings*, 17/381.

[2] In documents prepared on his behalf the name appears as Junyent or Junyant (and once as Inynet). The first seems to be the proper form, for in English documents the name appears as Jungent. The documents in this case are given on pp. 183–94 below.

[3] On the Fowey estuary.


R Fowey
Restormel Castle
LOSTWITHIEL
Braddock
Boconnoc
St Winnow
R Lerryn
Fowey
Estuary
St Sampson
Golant
Tywardreath
St Veep
Trebant Water
Mixtow
Bodinnick
FOWEY
Lanteglos
Lansallos
Polruan
THE
FOWEY ESTUARY
Miles
0 1 2

pirates, who, in spite of the safe-conduct showed to them, put out the merchants and mariners from the galley and carried her off to Fowey. Though there were arms for 250 men on board the galley,[1] the Spaniards do not seem to have made any defence. The pirates were perhaps a little surprised at the richness of their prize, and, realizing the risks in which they were likely to be involved, at once distributed a substantial part of the goods amongst numerous persons whose favour, succour, and maintenance were likely to be of service. The principal owner of the *Edward* was John Trevelyan, and with him were joined as victuallers Sir Hugh Courtenay[2] and Thomas Tregarthen. Trevelyan, who had considerable property near Fowey, was a favoured servant of Henry VI, a yeoman of the crown, and the holder of important stewardships in Devon and Cornwall.[3] Tregarthen, who was apparently a lawyer of Lincoln's Inn, was one of the King's serjeants and held the offices of gauger at Bristol and water-bailiff at Dartmouth. The principal victualler of the *Makerell* was Nicholas Carmynowe, a Cornish squire of good position.

At the time of the capture of the galley Tregarthen and Carmynowe happened to be in London, as also was Thomas Pennarth, one of the persons who had part of the spoil. It is a somewhat sinister circumstance that Lewis Scott, who was attorney and factor for Junyent in London, on receipt of the news went at once to Tregarthen and Pennarth to procure their assistance, and promised the one of them 5 marks and the other 40*s.* for his pains. According to Tregarthen's own account he promptly rode off to Cornwall with Lewis Scott; but fourteen days before they could arrive all the goods had been despoiled and taken away. Nevertheless Tregarthen used his labour to secure restitution and caused John Norton, one of the chief pirates, to be arrested and sent to London, where he was committed to the King's Bench. Some of the

[1] See p. 186 below.
[2] Of Boconnoc, near Lostwithiel.
[3] *Trevelyan Papers* (Camden 1st Series), i. 28–37, 91.

merchants who had shipped goods in the galley had also taken action, and as early as 28th January 1450 a commission for inquiry was issued to Thomas Bodulgate and Andrew James, followed a month later by another to other persons on behalf of certain merchants of Cologne.[1] Before these commissions could have reported, Trevelyan and Courtenay were committed to the Tower for breaking the King's safe-conduct and taking a galley of Catalonia; whilst the *Edward* of Polruan was declared forfeit and on 26th February sold to John Arundell the elder and Thomas Bodulgate for £100.[2] John Arundell of Talvarn was one of the principal receivers of the booty, and Bodulgate was one of the commissioners lately appointed. It may well be suspected that Trevelyan had contrived to frustrate forfeiture by a collusive sale to two of his own friends. Bodulgate as commissioner obtained a surrender of goods from some of the culprits, but from what we know of his later career it may be doubted whether he handed them over to the owners.

Two years later, on 28th March 1452, a fresh commission of inquiry was ordered; and at its head appeared Sir Hugh Courtenay,[3] who was himself one of the principal victuallers of the *Edward*, and first amongst those to whom the goods were to be delivered was Sir John Colshull, who was himself one of the chief receivers. Under such circumstances it is not surprising that Junyent and the merchants got no redress.[4] But Junyent was rich and persistent, and when there was a new king in 1461 he presented a fresh petition in Chancery, setting forth in a schedule the names of all those who were concerned in the piracy or who had been receivers of the goods. All of them seem to have been summoned to appear, though only the answers of a few of the receivers have been preserved. Nicholas Carmynowe stoutly denied that he

[1] *Cal. Pat. Rolls*, Henry VI, v. 319, 320.

[2] *Engl. Hist. Rev.*, xxix. 515; *Cal. Pat. Rolls*, v. 312. [3] *Ib.* v. 540.

[4] Carmynowe was actually a commissioner, conjointly with Colshull, to inquire into another piracy in October 1449; *Cal. Pat. Rolls*, v. 389.

was victualler of the *Makerell*, but had to admit the receipt of a large quantity of goods, some part of which he said had been delivered to Bodulgate, and the remainder he now professed himself ready to surrender to Junyent. Carmynowe, Tregarthen, and Pennarth all declared that what they had received had been given to servants in their absence without their knowledge. Tregarthen and Pennarth with other of the receivers declared that whatever they had had been delivered to Bodulgate. Junyent, in his Replication, asked for the law to be enforced, since Carmynowe and others had not gainsaid the fact that they had part of the goods, and he himself had never satisfaction. The actual end of the case does not appear, though Carmynowe and others of the principal parties were bound over in large sums and had to find sureties.[1]

If there is something audacious in the last story it is fully equalled by the case of Richard Penpons, another Cornish squire, who since 1435 had been employed on a variety of commissions, including several inquiries into piracy, and from 1451 onwards was a justice of the peace.[2] Nevertheless he was himself the principal owner of a piratical vessel, *The Kateryn* of St. Ives, and in other matters showed himself unscrupulous. He had ousted Dame Margaret Sarnesfeld from the manor of Helston, and was accused of having wasted the manor whilst in his custody.[3] He was also accused, whether rightly or wrongly, of having dispossessed an old woman, ninety years of age, of her lands under colour of a forged enfeoffment.[4] Whatever his merits may have been, there is no doubt that during the greater part of the reign of Henry VI Penpons was one of the most influential men in West Cornwall.

On 1st October 1451 Bartelot de la River [5] of Bayonne,

[1] See p. 183 below.
[2] *Cal. Pat. Rolls*, Henry VI, ii. 475; iv. 78, 109, 370; v. 190, 237, 532, 578.
[3] *Ib.* ii. 107, 133, 278. [4] *Early Chancery Proceedings*, 16/536.
[5] Bartelot de la River was afterwards in the service of Edward IV and

a Gascon squire in the service of Henry VI, had letters of safe-conduct for a ship of 160 tuns or within or for two barges of the same tunnage to come from Bayonne with merchandise, provided there was a crew of forty-eight men with sufficient artillery for their defence. He was allowed to name four persons to be associated with him, and under this authority William Joce or Joyce, a merchant of Bristol, with three others, on 7th December following, freighted *The Kateryn* of Bayonne at Bordeaux with a cargo of wine, iron, saffron, ivory, and other wares. *The Kateryn* made a good voyage, and on Christmas Eve was off St. Ives when a gang of pirates in a pinnace of that town, also called *The Kateryn*, captured her as she lay at anchor, took her into the harbour, and divided the cargo amongst themselves and their principals. Joce, who was apparently on board, at once went off to Lostwithiel, where he showed his licence and safe-conduct to John Arundell, the sheriff, in the Shire Hall, and desired that it might be publicly read. When this had been done, Richard Penpons, who was present, said plainly that the ship had been lawfully taken as he would justify. Penpons had good reason to intervene; for he was owner and victualler of one moiety of *The Kateryn* of St. Ives, as was found a year or two later when inquiry was held concerning another piracy committed on *The George* of Dartmouth whilst on a voyage from Lisbon.[1] Joce must have been well aware that Penpons was a principal in the piracy, but apparently did not dare to take action openly against so powerful a man. Long years after he alleged that through the maintenance of Richard Penpons he could never have the law executed, nor venture to go to Cornwall to sue further in his case for dread of death.

When some five years later Joce at last lodged a petition

was employed by him on missions to Italy in 1463 and 1474. See Scofield, *Life and Reign of Edward the Fourth*, i. 280, 376; ii. 99.

[1] *Cal. Pat. Rolls*, Henry VI, vi. 61, 165. There were two commissions; John Arundell and Thomas Bodulgate served on the second.

in Chancery he mentioned only one Otes Trenwith [1] of St. Ives, who though certainly concerned in the piracy was probably not one of the most guilty. On his tomb Otes is styled gentleman, and is described as a man well disposed to God and the world. He was clearly a person of some local importance. It is possible that he is the same as Otes Berowe,[2] who immediately after the piracy, on 14th January 1452 obtained letters patent exemplifying the safe-conduct granted to Bartelot de la River.[3] This may seem an audacious proceeding on the part of a pirate, but was probably a preliminary to the intended defence, to wit that the captured vessel was not covered by the safe-conduct in question.[4] We do not know whether this defence was then put forward, since Trenwith's Answer is not preserved. In one of his later Bills Joce alleged that an inquisition had been held,[5] apparently after this first petition, but there is no record of it in the Patent Rolls. In any case, the proceedings then taken can have had no practical result.

Joce patiently bided his time till the accession of Edward IV, when the downfall of the Lancastrian friends of Penpons seemed to offer a better prospect of success. He now made his petition against one John Calmady, who as he said had been found by inquisition to have had great part of the merchandise. Calmady replied, denying

[1] The name appears variously as Treynwith, Trenwith, or Treunwith. The proper medieval form is Treunwith and the modern form Trenwith. His brass in St. Ives Church bears the inscription: 'Hic iacent Oto Trevnwyth generosus qui obiit die dominica proxima ante festum purificacionis beate Marie virginis A° regni regis Edwardi iiii^{ti} secundo, qui fuit vir benignus deo et mundo ac bene dispositus. Et domina Agnes consors eius. Quorum animabus propicietur deus.' The figure of Otes is lost, but that of his wife is preserved. See Dunkin, *Brasses of Cornwall*, plate 14.

[2] In one list of persons implicated in the second piracy committed by *The Kateryn* on *The George* of Dartmouth Otes Treynwith appears, and in another Otes Harri Berowe. Amongst the others were Peter Treynwith, Geoffrey Hugh Berowe, Hugh Harri Berowe, and John Harri Berowe. *Cal. Pat. Rolls*, Henry VI, vi. 61, 165.

[3] *Ib.* v. 530. [4] See pp. 196–97 below. [5] See p. 196 below.

that the goods were of the value supposed or that he had had any share in them, and further alleging that *The Kateryn* of Bayonne was wrongly described, being in truth a Spanish vessel, and that she was not covered by the safe-conduct, which Joce had already used for two other barges. Joce was so far successful that on 12th December 1461 order was given for an inquiry to be held.[1] It was found that Peter Treynwith, John Harri Berowe, William Jakkik, Graund John, John Calmady, and other pirates had seized *The Kateryn* of Bayonne and had shared the goods with one William Irish, goldsmith of Glastonbury, and John Bevill of Gloucester.[2] This is the only reference we have to Irish and Bevill, but the mention of them suggests that the West Country pirates were in league with persons who could supply them with information as to likely prizes. There is as yet no mention of Richard Penpons, who was perhaps still powerful enough to have his name kept out. On 23rd March 1462 Henry Bodrugan and others were ordered to arrest the offenders. Some delay occurred, and it was not till 15th August that Bodrugan, accompanied by Joce, came to the house of Henry Tregliston near St. Ives. The pirates had knowledge of their purpose, and incited by Penpons prepared to attack them. But Joce and his companions, being forewarned, fled in haste, pursued by their enemies as far as Redruth, ten miles away.

After this outrage Joce apparently determined to unmask the chief offender, and accordingly presented his third Bill against Richard Penpons, in which for the first time he told his full story of what had happened ten years before. Penpons made an Answer, as it would seem in like terms to that put in by Calmady. This has not been preserved, but Joce in his Replication denied the truth of the allegations as to informality of the safe-conduct, and since Penpons had not withsaid the charge that the

[1] *Cal. Pat. Rolls*, Edward IV, i. 28. John Colshull and Thomas Clemence were two of the commissioners.

[2] *Ib.* i. 201. Otes Trenwith had died on 31 January 1462.

riot was made by his procuration and that he was the owner of the pinnace and had part of the goods, begged that he should be required to make restitution.[1] It does not appear that Joce had any further success, for Penpons, who had been a Lancastrian, had now turned Yorkist and was again on the commission of the peace.

Penpons seems to have been an astute person, who looked after the interests of himself and his associates by having a foot in both camps. Amongst other offices he was Steward of the Franchise Court of the College of SS. Mary and Nicholas of Cambridge.[2] In this capacity his old partner Otes Trenwith in 1455 preferred a complaint before him at St. Michael's Mount against three Breton merchants, and obtained judgement to be enforced by the attachment of 24 tuns of wine. The wine was put in charge of the bailiff of the Court, but before execution certain misdoers of Marazion managed to carry it off. Perhaps they did so on behalf of the Breton merchants, who may have received scant justice in the court of Richard Penpons. However, Otes Trenwith, that 'vir benignus', was unabashed, and applied in Chancery for a writ against the bad men of Marazion.[3]

One of the commissioners to inquire into the piracy of Richard Penpons had been his friend, Thomas Bodulgate,[4] of whom we have heard before. Bodulgate was a man of even greater position than Penpons. He had large estates in Cornwall, of which it was alleged that he had become sole owner by dispossessing a cousin who was his coheir.[5] He had long been keeper of the park of Liskeard and manor of Restormel jointly with John Trevelyan,[6] from whom, as we have seen, he had made

[1] *Early Chancery Proceedings*, 26/403, 27/412–13. See pp. 194–200 below.
[2] i. e. King's College. [3] *Early Chancery Proceedings*, 16/710.
[4] Or 'Botulgate', as he spells the name in his own document in *ib.* 25/208.
[5] *Cal. Pat. Rolls*, Edward IV, ii. 388, 444; *Early Chancery Proceedings*, 53/293.
[6] *Trevelyan Papers*, i. 29, 44 (Camden Society).

a collusive purchase of *The Edward* of Polruan in 1450. They twain, with John Arundell, were probably the persons of most weight in Cornwall during the following ten years. Like Penpons, Bodulgate had served often on inquiries into other people's piracies[1] whilst at the same time practising on his own account. He was, as it would appear, actually in command of the ship which in 1454 captured *The Mary* of Dublin on the high seas and brought her into Fowey.[2]

Bodulgate's most notorious exploit was his share in the spoiling of the *Marie* of Biscay in 1460. The *Marie* had been freighted in Spain by John Poke, a merchant of Bristol, with a cargo of wine, iron, saffron, and armour to the value of £439. As she was on her way John Michell of Bodennek[3] in a carvel called the *Carvel of Tuke*,[4] with John Gravell of Golenance[3] in the carvel *Mighell* of Fowey, captured her on the high sea on 30th April and brought her into Fowey, where by the comfort and commandment of Thomas Bodulgate they spoiled her of all her cargo. Bodulgate himself had 4 tuns of wine, and his friends Trevelyan and Arundell also had their shares, whilst 10 tuns were kept undivided to maintain the plea against the merchants of Bristol. What part of the cargo was not taken by Bodulgate, his friends and servants, was divided by him amongst the owners, victuallers, and fellowship of the carvels. Bodulgate, who was either more honest or less wise in his generation than Penpons, remained an ardent Lancastrian, and was killed fighting on the losing side at Barnet in 1471. One of the first acts of the new king in May 1461 had been to order the arrest of John Trevelyan, Thomas Bodulgate, John Michell, John Gravell, and others.[5] All four of these had been

[1] *Cal. Pat. Rolls*, Henry VI, iv. 78, 244, 288, 298; v. 80, 138, 190, 320, 540; vi. 19, 165, 175. [2] *Early Chancery Proceedings*, 25/207–9.

[3] Golant and Bodinnick; both on the Fowey estuary.

[4] The *Carvel of Tuke* had a little previously been engaged in another piracy off Thanet; she was then described as a ship of Thomas, Lord Ros. Ros was a strong Lancastrian. *Early Chancery Proceedings*, 28/472.

[5] *Cal. Pat. Rolls*, Edward IV, i. 28, 378.

concerned in piracy, but the reason for their arrest seems to have been their Lancastrian sympathy. This may explain why after an inquiry held in September 1461, when Penpons was one of the commissioners, it was found that Bodulgate was the chief instigator in the spoiling of *The Mary* of Biscay. In the following year it was adjudged in Chancery that Bodulgate should pay £300 in compensation to Poke and his partners.[1] Whether Poke ever obtained his money may be doubted, though he lived to suffer from another piracy by two ships of Cornwall ten years later.[2]

Trevelyan, Bodulgate, and Penpons had all been Lancastrian, and the two former honestly. But it is difficult to find any other motive than plunder in the history of their piracies, though no doubt they had used their political influence to cover their misdeeds. A slightly better case may be made for their contemporary Sir Hugh Courtenay, in spite of his share in the piracy of *The Edward* of Polruan in 1449. He was owner of a carvel called *Le Peter Courtney*, which he had manned with men of war well harnessed and arrayed. In the last years of Henry VI this vessel made four captures: one was a wine ship from Bordeaux, which was taken into Topsham;[3] the second was the hulk *Christopher* of Bergen-op-Zoom, which had been chartered by London merchants and was taken off the coast of Brittany;[4] the third, a Breton vessel called the *Margareta*, which was brought into Fowey;[5] the fourth was the *Marie* of Dordrecht, which had been chartered by merchants of Bristol for a voyage from Bordeaux, and was also brought into Fowey.[6] Having regard to the date, it is just possible that Courtenay was preying deliberately on

[1] *Early Chancery Proceedings*, 27/262 and 29/26–7. See pp. 200–203 below.

[2] *Cal. Pat. Rolls*, Edward IV, ii. 354. The piratical ships were *The Edward* and *The Barbara*, see p. 105 below.

[3] *Early Chancery Proceedings*, 30/60.

[4] *Ib.* 28/476. [5] *Cal. Pat. Rolls*, Edward IV, i. 36, 452.

[6] *Ib.* Henry VI, vi. 612, 650.

the supporters of Richard of York, and the last case was investigated in October 1460 when the Yorkists were in control of the government.

It is noteworthy that the final investigations into the misdoings of Trevelyan, Penpons, and Bodulgate all took place under Edward IV, and other similar instances may be found. It is, of course, possible to explain this as due merely to the fact that the political influences which had prevented previous effective action had ceased. But more reasonably we shall see in it a result of the deliberate policy of the new government. Even under the Lancastrian rule it had been rather the power than the will that was lacking. But in the western counties, at all events, the fact that some of the principal supporters of the existing dynasty were themselves deeply implicated in an organized system of piracy made the ordinary procedure by commission of inquiry futile. Probably it was difficult to obtain local commissioners of assured impartiality. But when Arundell, Bodulgate, and Penpons sat in turns to investigate one another's delinquencies, it is not surprising that none of them were brought to justice.[1] The only effective remedy would have been the keeping of the seas by a royal fleet. Ill sea-keeping was one of the reasons that made London and Bristol turn Yorkist. That would have resulted in any case from the self-interest of the mercantile class. Still the change must have been quickened by the knowledge that the pirates had political friends in the other camp.

John Trevelyan was described by a Yorkist rhymer as

> The Cornish Chough that with his train
> Hath made our Eagle blind.[2]

Otherwise we know little of him save that he was a supporter of Suffolk and a special object of popular

[1] Their cases were not, however, peculiar. In 1456 a carvel of Fowey belonging to Thomas Treffry was concerned in a piracy off the French coast. But two years later Treffry was himself a commissioner to inquire into another piracy by a ship of Fowey; *Cal. Pat. Rolls*, vi. 309, 435.

[2] Wright, *Political* Songs, ii. 223.

enmity in 1450.[1] Whatever his faults may have been, he was a loyal adherent of Henry VI and was still influential at Court in 1454.[2] The tracing of his share in west country piracies gives a clue to one reason for his unpopularity. That the careers of Trevelyan and men like him should have been possible during the last years of Lancastrian rule must be counted amongst the minor causes of the downfall of Henry VI.

It is not to be supposed that piracy was stopped by the accession of a Yorkist king. In spite of the activity shown by the Chancellor in dealing with cases during the first years of the reign of Edward IV, the evil practices still went on, though complaints are perhaps somewhat less frequent. John Calmady and Peter Jakharry continued to plunder off the Land's End, and in association with Thomas Killigrew were responsible in 1464 for an attack on a Breton ship.[3] Henry Bodrugan, a squire of Yorkist sympathies, was one of the commissioners on this occasion, as he had been in the case of Richard Penpons. That did not, however, prevent him any more than his predecessors from piratical adventures on his own account.[4] The men of Fowey, as before, took the lead; during 1469 John Wilcok in *The Barbara* of that port pillaged no less than sixteen ships off the coasts of Brittany,[5] and two years later *The Barbara* was alleged to have taken goods of Bristol merchants.[6] Afterwards, when Edward IV was firmly on the throne, a vigorous endeavour was made to suppress the pirates. In 1474, perhaps as the result of a complaint made by the King of Castile,[7] order was given for the arrest of all masters, mariners, pirates, possessors, and victuallers of any ships in Fowey, Bodennek, and Polruan,[8] since they had committed great depreda-

[1] *Rolls of Parliament*, v. 216 *b*; Kingsford, *English Historical Literature*, p. 364.
[2] *Paston Letters*, ii. 296.
[3] *Cal. Pat. Rolls*, Edward IV, ii. 54, 57, 104. Otes Trenwith's widow was part-owner of the piratical vessel.
[4] *Rolls of Parliament*, vi. 138.
[5] *Cal. Pat. Rolls*, Edward IV, ii. 197–8.
[6] *Ib.* ii. 354, 377–8
[7] Scofield, *Life of Edward IV*, ii. 109.
[8] Both situated on the Fowey estuary.

tions, and not heeding the King's orders daily did worse and worse. Their ships and gear, their goods and merchandise, were to be seized and kept in safe custody.[1] This drastic measure seems to have had a good effect, since we hear of few more piracies by the men of Fowey till nearly ten years later.[2]

Piracy in the Channel was to be a trouble for many years to come, but on its later history I do not propose to enter. Its story in the middle fifteenth century throws a lurid light on the ill sea-keeping, the lack of order, the prevalence of personal influence, the maintenance of evil-doers, and the abuse of the forms of law, which were amongst the worst features of the last years of Lancastrian rule. Nevertheless, the piracy of the fifteenth century was the school of English seamen. Notwithstanding all that can be alleged against them, we must recognize in these West Country pirates that same hardy and audacious spirit which a hundred years later inspired their descendants to nobler achievements in a greater sphere.

[1] *Cal. Pat. Rolls*, Edward IV, ii. 492.

[2] *Ib.* iii. 355, 518, 645. In 1483–5, when privateering at the expense of the Bretons was perhaps not discouraged.

V

LONDON IN THE FIFTEENTH CENTURY

London in the fifteenth century presents us with no great problem of municipal government such as the struggle of the clothing and victualling gilds had created in the previous age. The rule of Mayor, Aldermen, and Common Council was well established, and continued in orderly fashion without any marked development. Though theoretically the Common Council may seem to have supplied a democratic element, the government of the City was in reality oligarchical. Out of eighty-eight persons who held office as mayor during the century, sixty-one were either Mercers, Grocers, or Drapers, and nearly all the rest were either Fishmongers, Goldsmiths, or Skinners.[1] These were the six principal Companies, and no one who did not belong to one of the twelve greater Companies ever held office as mayor. The list of aldermen shows a similar result, the great majority being again Mercers, Grocers, or Drapers.[2] Thus the chief power was concentrated in the hands of the richest mercantile class.

The Common Council had the right to nominate two

[1] The numbers were: Mercers, 25; Grocers, 18; Drapers, 18; Fishmongers, 10; Goldsmiths, 6; Skinners, 5; Tailor, 1; Ironmonger, 1; Haberdasher, 1; Salters, 3. Richard Marlowe, who was both a Fishmonger and an Ironmonger, is counted amongst the former. Whittington was mayor three times, and twelve others held office twice. In 1484–5 there were three mayors.

[2] Out of 173 Aldermen during the century: 41 were Mercers, 31 Grocers, 33 Drapers, 14 Fishmongers, 16 Goldsmiths, 13 Skinners, 8 Tailors, 2 Vintners, 7 Ironmongers, 3 Haberdashers, 3 Salters, 1 Saddler. William Dere, whose craft is doubtful, was a moneylender and probably a goldsmith. The 3 Salters all come in the last quarter of the century. The Saddler is the only one outside the twelve greater Companies. It will be observed that the proportion of aldermen who served as mayor is much greater in the three leading Companies.

persons to serve as mayor, though the actual election rested with the aldermen. But even this right was somewhat restricted. In 1404, owing to the exceeding number of apprentices and serving-men, who, together with strangers to the freedom, had disturbed a recent election with their clamorous shouting, it was ordered that in future none should attend unless specially summoned, and that none should be summoned unless they were of the more substantial men of the City or Common Councillors.[1] Two years later, when the election of the mayor was for the first time preceded by solemn mass in the Guildhall Chapel, it was ordained that the Commoners should nominate two persons who had served as sheriff, 'it being for the said Commoners to take no care which of the persons so nominated should be chosen by the Mayor and Aldermen.'[2] The restrictions which these ordinances imposed did not pass unchallenged. At the election in 1426, Ralph Holland, tailor, wantonly declared that the ordinances were fabrications, and was in consequence committed to prison.[3] Nevertheless, Holland himself served as sheriff in 1429–30 and in 1435 was elected an alderman. That he was the leader of a popular opposition is suggested by the uproar which occurred at the election in 1441. The Commons had nominated Holland and Robert Clopton, a draper. But when, according to custom, the mayor came down with Clopton on his right hand, certain tailors and craftsmen cried: 'Nay, nay, not this man but Raulyn Holand.'[4] As a consequence, in the following year a royal writ was obtained forbidding any one to attend the election unless specially summoned, and on the next occasion those summoned were called by name at the door and no others were allowed to enter.[5] The immediate cause of the rivalry between Clopton and Holland was the attempt of the Tailors to exercise the exclusive right of search over the cloth trade, which they

[1] Riley, *Memorials*, p. 560.
[2] *Ib.* p. 565.
[3] *Letter-Book*, K, p. 55.
[4] *Chronicles of London*, pp. 154–5.
[5] *Letter-Book*, K, p. 274.

had obtained by charter in 1439. This was resisted by the Drapers, and during his mayoralty Clopton succeeded in obtaining a recall of the powers granted to the Tailors.[1] But apart from this, the disputed election may indicate an attempt to break down the virtual monopoly of municipal government held by the leading Companies. It was perhaps a concession in this direction that inspired the order of 1475 that the two aldermen nominated for election should not belong to the same craft or mistery.[2] Till a few years previously it had been usual for the mayor to summon to the election, in addition to the Common Councillors, certain other powerful and discreet citizens.[3] In 1467 provision had been made that the master and wardens of each mistery should attend in their livery ; in 1475 this provision was amplified so that the master and wardens with other good men of each mistery should come together to the Guildhall and that no others but Common Councillors should be present at elections.[4] This was the origin of the elective franchise of the liverymen as distinct from the ordinary freemen. It was no doubt a result of the increased power of the Companies, to whom the right of nomination was thus virtually transferred.[5]

In 1426 it was ordered that no one should be eligible for re-election as mayor till seven full years after his last term of office, and nine years later that no one should be called upon to serve a third time.[6] In the previous century there had been several occasions on which a mayor had served for two or more years in succession. Between 1424 and 1500 there were only eight instances in which a mayor had held office before ; all of them seem to have been men of exceptional distinction in the City.[7] In 1444 William Estfeld was recommended by

[1] *Ib.*, pp. 259–61 ; and Unwin, *Gilds*, p. 162.
[2] *Letter-Book*, L, p. 132.
[3] *Ib.*, K, pp. 275, 288.
[4] *Ib.*, L, pp. 73, 132.
[5] Norton, *History and Constitution of the City of London*, pp. 126–7.
[6] *Letter-Book*, K, pp. 33, 191.
[7] *Ib.*, p. 34 *n.*, with a list.

Letters of Privy Seal for a third term, but the Court of Aldermen, whilst recognizing that he was a most suitable person, refused to depart from the established custom.[1]

The mayor was elected annually on the Feast of St. Edward (13th October), and was sworn in at the Guildhall on 28th October. Anciently, he rode in procession with the aldermen and chief citizens on the following day to Westminster, there to be presented and admitted before the Barons of the Exchequer. When on the mayor's day, in 1415, the news of Agincourt came to London early in the morning whilst men were still in their beds, it was thought meet that on such a great occasion for thankfulness to God all should go humbly on foot. But after the mayor had been received and had made his offering at St. Edward's Shrine, they all came back riding merrily as they were wont to do.[2] In 1453 John Norman, the new mayor, being old and infirm, elected to go by water with the aldermen and chief men of the Companies in their barges. Wherefore, the Thames watermen made a song:

> Row thy boat Norman,
> Row to thy leman.

Which new custom, states the *London Chronicle* a few years later, 'was well allowed and has continued to this season.'[3] The water procession which was thus established remained the chief feature in the Lord Mayor's Show for nearly four centuries.[4]

The fifteenth century witnessed no constitutional change in the office of the Sheriffs. There is a possible suggestion of some abuse in the ordinance made in 1441

[1] *Letter-Book*, K, pp. 301–2.

[2] Nicolas, *London Chronicle*, 102; *Gregory's Chronicle*, 113.

[3] *Chronicles of London*, 164; Fabyan, 628.

[4] The last occasion was in 1849. The mayor went by water in 1422, but that was due to the omission of the procession on account of the mourning for Henry V. The sheriffs seem to have gone by water in 1435. See Withington, *English Pageantry*, ii. 7; and *English Historical Review*, xxxvi. 613.

that the under-sheriffs should remain in office during good behaviour, frequent removals having caused inconvenience and expense.[1] The sheriffs were elected on St. Matthew's Day (21st September), and were presented at the Exchequer on Michaelmas Day.

The division of the great Ward of Farringdon into two in 1394 had brought the number of aldermen up to twenty-five, at which it remained till 1550. When the office of alderman fell vacant, the ward nominated four persons for election by the court, which had the power to reject them altogether if none appeared to be fit and sufficient. In the event of three successive nominations of unfit persons, the court itself nominated and elected without further reference to the ward. That the right of veto was not formal is shown by the frequent rejections, many of which resulted in nomination by the court.[2] In 1448, Philip Malpas was elected on the King's recommendation, after the repeated rejection by the court of the nomination of Malpas and others by the ward-mote.[3] The rejection of Malpas may possibly have had a political motive. William Dere, who was one of the rejected nominees on the same occasion, was passed over no less than seven times before he was finally accepted. Dere was a notorious usurer, and it is possible that in his case the objection was personal.

The Common Council continued to be elected annually under an ordinance made in 1384. The representation of each ward was to be proportionate to its population, six, four, or two persons being chosen, with an average of four. Not more than eight persons from one mistery might be chosen throughout the City ; if more happened to be chosen, the mayor, with the advice of at least six aldermen, was to choose the eight best and to refer back the others for a fresh election.[4] This provision was no doubt intended to prevent the undue preponderance of any one mistery. The Common Council should thus

[1] *Letter-Book*, K, p. 257.
[2] Beaven, *Aldermen*, i. 242–4.
[3] *Ib.* i. 174.
[4] *Letter-Book*, H, pp. 227–8.

in theory have been a check on the oligarchical constitution of the Court of Aldermen, but in practice its importance during the fifteenth century was comparatively slight.

In the great conflict between the victuallers and the trading gilds during the fourteenth century, the constitutional issue was whether the Companies should submit to civic rule or should retain a species of feudal immunity and independence. The dispute was complicated by the cleavage between the governing oligarchy and the great mass of the citizens, and by the conflicting interests of the victuallers and traders. The victuallers desired to maintain their control of the supply of food, and were in consequence especially hostile to the competition by aliens, which they desired to restrict. The traders, whose interest it was to develop manufactures and foreign commerce, favoured the free import of food and raw material. In the end both sides had to make surrenders. The victuallers had to accept the rule of the City, whilst the wealthy manufacturing crafts which had obtained royal charters had to bring them in to the mayor in token of submission.[1] The lesser crafts and journeymen, who had endeavoured under the guise of their religious fraternities to establish what were in effect political organizations, had also, as the result of an inquiry held in 1389, to yield to public control. By this means the authority of the civic government was established and any anti-oligarchical movement was suppressed. As between the victuallers and traders, the advantage rested with the latter. During the following century the Mercers and Drapers were the most influential of the great Companies, whilst the Grocers, who came next, were themselves largely interested in foreign trade. Thus the final settlement of the civic constitution was closely related to the commercial development of the fifteenth century.

A not less important result of the struggle of the crafts and the regulation of the fraternities was the beginning

[1] See Unwin, *The Gilds and Companies of London*, ch. x.

of the change which led in the course of the fifteenth century to the development of the livery company in its permanent form. The wealthy manufacturing crafts like the Drapers, Goldsmiths, Tailors, and Saddlers sought for fresh charters. The Tailors in 1390 obtained confirmation of their old privileges, of their gild of St. John the Baptist, of their rights to make a livery, hold their assemblies and annual feast, and to establish ordinances for the craft; they were also empowered to elect a master and four wardens.[1] In the charters of the Goldsmiths and Mercers in 1394 and of the Saddlers in 1395 comes a new departure through their recognition as perpetual commonalties with power to hold lands in mortmain.[2] In these and other early charters the grant was made to a religious fraternity, and it was the religious and social side which received prominence. But the religious element was subordinated to the social, whilst the social prestige of the Companies was in practice most valuable as enabling them to make their jurisdiction over the members of their craft real and effectual. That jurisdiction could, however, only be exercised under the authority of the Mayor, and the new incorporate bodies were destined to become an essential element of the civic organization. In the early part of the reign of Henry VI a number of other charters were granted, so that incorporation became the established rule amongst the greater misteries and an object of legitimate ambition to the rest. In these later charters the government of the mistery was gradually made the main object. The Drapers' charter of 1438, whilst retaining the religious fraternity as its base, was definitely constituted 'for the business as well of the mistery as of the gild and fraternity'. The development was not accepted by the civic authority without demur, and in 1437 it was enacted that all incorporated fraternities must have their charters registered by the chief governors of cities, boroughs, and towns.[3] In London the City at once

[1] *Cal. Pat. Rolls*, Richard II, iv. 321–2.
[2] *Ib.* v. 219, 425, 560.
[3] 15 Henry VI, c. 6.

took action and successfully asserted its authority. As a result the Drapers, Fishmongers, Mercers, Grocers, and Cutlers all brought in their charters to be registered,[1] and in subsequent charters provisions as to the regulation of trade were omitted.

Under Edward IV the commercial policy of encouraging native industries led to the grant of charters to many of the lesser Companies, by which means the middle class in the City entered on a share of the privileges already enjoyed by the wealthy merchants of the great Companies. This last stage in the development of the livery Companies coincided with the recognition which they had received at the elections of Mayors and Sheriffs. There was, however, no relaxation of the authority of the City, and all ordinances in the crafts were regularly submitted for approval.[2] It was natural that most of them should come from the lesser working crafts, but greater Companies like the Cutlers, Leathersellers, Skinners, and Tailors [3] appear in the list. The Fishmongers, who had been the leaders in opposition in the previous century, attempted to make ordinances on their own account, but in 1462 were required to submit them to the Court and for the future to use no ordinances until they had been confirmed.[4]

The history of the City's government and its close association with the Companies emphasizes its essentially commercial character. A community which had secured to the full the right of self-government and which was so absorbed in trade had little cause or desire to meddle directly in politics. As was natural, its influence was cast on the side of firm and orderly government. It had supported Henry IV, and under Henry V was enthusiastically loyal. During the first years of Henry VI it favoured Humphrey of Gloucester, at the time of whose dispute

[1] *Letter-Book*, K, pp. 224–6.

[2] Sixteen Companies submitted ordinances in 1484; *Letter-Book*, L, pp. 251–9, 261–5, 273.

[3] *Ib.*, pp. 256, 293, 295, 302.

[4] *Ib.*, p. 16.

with Beaufort in 1425 the gates of London Bridge were kept by commandment of the duke and mayor.[1] It was the support of the City which for the time caused Beaufort's discomfiture. When next year this incident brought the Duke of Bedford back to London, the mayor waited on him with a gift of two silver-gilt bowls and 1,000 marks, yet had but little thanks.[2] Humphrey of Gloucester was always popular with the Londoners, and though when Margaret of Anjou came to England in 1445 the citizens gave her a royal welcome, they regarded Suffolk's peace policy with no favour.[3] After Suffolk was banished the London mob endeavoured to prevent his departure and maltreated his servants.[4]

Though there were two political parties in the City, the opposition was by this time beginning to get the upper hand. The leader of the Court party was Philip Malpas, who in 1448 had been elected alderman only under pressure from the King. At the time of Cade's rebellion in 1450 the commons raised such an outcry against him that he was discharged of his cloak,[5] and when Cade entered the City, Malpas's house, The Green Gate in Cornhill, was one of the first to be sacked.[6] It would seem that even amongst the better class of citizens there were some who sympathized with Cade's political aims. There was debate amongst the aldermen whether Cade should be admitted to the City, and the excitement of the commons was so great that Robert Horne, who had been foremost in opposition, had to be committed to ward.[7] Thomas Cooke, of whom we shall hear more hereafter, was in treaty with Cade and seems to have acted in the City on his behalf.[8] Lawrence Stokewode, another of Cade's supporters in London, if a less reputable person, was a man of some position.[9] Amongst the poorer citizens Cade had certainly many adherents, and it was

[1] *Gregory's Chronicle*, p. 159. [2] *Ib.*, p. 160. [3] Cf. *ib.*, p. 189.
[4] W. Worcester, 767. [5] *Chronicles of London*, p. 160.
[6] *Gregory's Chronicle*, pp. 191, 192. [7] Fabyan, 623.
[8] Stow, *Annales*, pp. 388–90, ed. 1630. [9] See p. 50 above.

not apparently till his followers began to pillage indiscriminately that the honest and thrifty amongst the commons were turned decisively against him.[1] Part of the support which Cade obtained in London was due, no doubt, to political discontent with the existing government, and it was probably an early expression of Yorkist sympathy which led at the close of the year to strange and wonderful bills being set in divers places about the City and even on the King's own chamber door at Westminster.

During the following years, however, the chief concern of the rulers of the City was to maintain good order within the walls. The great retinues which the lords of the rival parties brought with them were a cause of constant anxiety. In December 1450 the goods of the Duke of Somerset were pillaged at Black Friars. Richard of York, who was then in London, had proclamation made forbidding all robbery, and when next day the King and York rode through the City with their retinues of fencible men, the citizens stood on either side of the streets in harness, the gloriousest sight that ever man in those days saw.[2] The great affray between the men of the Mercery and the Lombards in 1457 began with the old-standing jealousy of foreigners, but when the Duke of Buckingham with other great lords came to see execution done, political feeling was roused. The commons of the City armed themselves secretly, whereupon the lords being warned incontinently departed, fearing longer to abide. According to the City chronicler it was the attitude of the Londoners on this occasion that made Henry and Margaret withdraw from the capital to Coventry.[3] When next year there was again a gathering of the lords of both parties, the mayor with the sheriffs kept great watch and rode about the City daily to see the peace was kept.[4] Still even in 1460 the attitude of the

[1] *Chronicles of London*, p. 161 ; Fabyan, 624. See also p. 50 above.
[2] *Gregory's Chronicle*, p. 196 ; *Chronicles of London*, p. 162.
[3] *Ib.*, pp. 166–7.
[4] *Ib.*, p. 168.

Londoners was uncertain. Richard Lee, the mayor, was perhaps Lancastrian, and when the Yorkist lords came to London he and the aldermen were disposed to temporize, and only admitted Warwick and his supporters after some hesitation.

The Lancastrian victory at St. Albans on 17th February 1461 filled London with alarm of what might happen if the King's army entered the City. But whilst there was much plundering outside,[1] within the City itself order was well maintained. An Italian resident wrote two days after the battle: 'They keep a good guard at the gates; and those who are here feel no lack of governance. Yet the shops are shut and nothing is done either by tradespeople or merchants and men do not stand in the streets or go far from home.'[2] The misconduct of the northernmen had turned London finally to the Yorkist side. When a few days later Edward of March arrived, all the City was fain and thanked God and said:

> He that had London forsake
> They would to them no more take.[3]

Even Malpas had abandoned his old associations and at the news of the coming of the Lancastrians had fled over sea.[4]

The comparative good order of the early years of Edward IV would, in any case, have reconciled London to the change of dynasty. Edward, moreover, always showed himself alive to the value of the support of the capital as a political asset. On the occasion of the Queen's coronation he made five aldermen Knights of the Bath, which was 'a great worship to the City'.[5] It is noteworthy as evidence of the King's desire to win over opponents, that two of these aldermen, Thomas Cooke and John Plummer, were probably Lancastrian. Three

[1] See p. 53 above. [2] *Cal. State Papers*, Milan, i, p. 49.
[3] *Gregory's Chronicle*, p. 215.
[4] Cf. Scofield, *Edward the Fourth*, i. 161–2, 188; *Chronicles of London*, p. 174.
[5] *Gregory's Chronicle*, p. 228.

years later Cooke, who was son-in-law of Malpas, was accused of treason in connexion with an alleged Lancastrian plot. The charge seems to have been a false one, perhaps instigated by Earl Rivers and used by the King as a means to get money. Cooke had to pay £8,000 as the price of his release, and was removed from his office as alderman by the King's orders.[1] If the charge was false Cooke's resentment at the injustice would be enough to account for his open support of the Lancastrian Restoration in 1470.

By this time the Lancastrian party in the City was probably weak. It is significant that in the Letter-Book[2] the readeption of the throne by Henry VI is ignored, though it is recognized in the *Journal*, which records the proceedings in the Court of Aldermen. The *Journal* gives us a remarkable account of events in the City during the ten days that followed on the news of King Edward's flight. On 3rd October Elizabeth Woodville begged the mayor and aldermen to take charge of the Tower and keep the City against the Kentishmen, who had assembled at Southwark in support of Warwick and begun to pillage in the suburbs. The representatives of the City were soon put out of the Tower by Archbishop Neville, but for ten days the mayor[3] and sheriffs rode round both in the forenoon and afternoon of every day, till when Warwick himself arrived and the Kentishmen had gone home it seemed unnecessary to guard the gates and bridge, though watches were still kept at night. On 13th October Thomas Cooke was restored to his aldermanry, and was present at the election of the new mayor on that day.[4] Nevertheless the choice fell on John Stockton, who was a Yorkist, as also was John Crosby, one

[1] *Chronicles of London*, p. 179. Sir John Plummer and Humphrey Hayward or Hayford were removed at the same time. Their places were taken by John Crosby, Thomas Stalbrook, and Robert Drope. Hayward, like Cooke, was restored in 1470. Beaven, *Aldermen*, pp. 11, 13, 14.

[2] *Letter-Book*, L, pp. 92, 93; the entries are very meagre.

[3] Richard Lee.

[4] *Journal* 7, ff. 223–30.

of the sheriffs. Stockton presently thought fit to feign illness and his place was filled by a lieutenant, at first by Richard Lee and afterwards by Cooke. When on 10th April 1471 letters were received from Edward announcing his coming, Cooke was not present. Two days later Thomas Urswike, the recorder, and some of the aldermen, having sent the guards to dinner, let Edward in.[1] Nevertheless a month later, according to one account, the commons would have admitted the Bastard of Falconbridge in spite of the mayor and all his brethren, had they not been incensed by the pillage done by his supporters.[2] If these allegations are correct, we must suppose that there was a strong Lancastrian (or Neville) party amongst the poorer citizens, though the rich merchants who controlled the Court of Aldermen were predominantly Yorkist. After Tewkesbury Edward rewarded his supporters by knighting the recorder and twelve of the aldermen.[3] Cooke, who had promptly fled over sea,[4] was again removed from his aldermanry. He is described as 'a man of great boldness in speech, and singularly witted and well reasoned'.[5] He was perhaps of more democratic sympathy than most of the aldermen.

The commercial policy of Edward IV in his later years, in spite of the privileges which, much to the distaste of the City, were extorted from him by the German merchants of the Steelyard, was favourable to London. Moreover Edward was at pains to ingratiate himself with the chief citizens; in 1481 he invited the mayor and certain others, both aldermen and commoners, to go hunting with him at Waltham, entertained them well and worshipfully at dinner, and likewise sent their wives a present of venison and wine to make them merry withal.[6] Commynes openly attributes Edward's hold on the City in 1471 to

[1] Warkworth, p. 15. [2] *Ib.*, p. 19.

[3] Stow, *Survey*, ii. 176. Warkworth, p. 21, gives only eleven aldermen. Amongst them were Stockton, Lee, Crosby, and Stalbroke. Lee was probably an opportunist; the three others were certainly Yorkist.

[4] He was captured and brought back. [5] Fabyan, 660.

[6] *Chronicles of London*, p. 189.

the great debts which he owed to many of the rich merchants and to the influence of their wives, with some of whom he had intrigues.[1] When in 1483 Richard of Gloucester was aiming at the crown, the Duke of Buckingham in his supposed speech to the citizens at the Guildhall made Edward's licentious conduct and his harsh treatment of Cooke two of the reasons why London should give its support to Richard. Sir Edmond Shaa, the mayor, had already been won over to Gloucester's side, and his brother was the preacher who was put up at Paul's Cross to argue against the legitimacy of Edward's children. But neither the arguments of the one nor the influence of the other could prevail with the great body of the citizens. If London acquiesced in Richard's usurpation it was rather through submission to force than from conviction. The reception which was given to Henry VII after Bosworth may have been a more genuine expression of the City's feeling. If the London Chronicles, which had been Yorkist in sympathy during Edward's life, show a Tudor bias after Richard's death, we need not attribute it simply to time-serving.

Though London never played a decisive part in national politics during the fifteenth century, its support was always a great asset to the established government. London was not simply the political capital, but also became in an increasing degree the commercial and intellectual heart of the nation. Though in a sense the City governed itself as a state within a state and jealously maintained its privileges, it never stood apart from the current of national life. We can, it is true, find some traces of oligarchical families in such cases as those of Philip Malpas and his sons-in-law, Thomas Cooke and Sir Ralph Josselyn who was mayor in 1464–5, and of William Gregory, the mayor of 1451–2, one of whose daughters married John Croke, an alderman, whilst his grand-daughter was wife of Sir William Stocker, who was mayor in 1471–2. But the ranks of London merchants

[1] Commynes, *Memoires*, i. 216–17.

were recruited by a constant flow of men from all parts of the country, like Whittington who was son of a country gentleman of Gloucestershire, Robert Chichele the son of a Northamptonshire yeoman, William Sevenoke who is reputed to have been of humble origin, or Stephen Browne the son of a Newcastle merchant, or William Gregory and Thomas Cooke, who came the one from Mildenhall and the other from Lavenham in Suffolk. All these made great fortunes in trade, and all served their turn as mayor. From London also the stream flowed back to the country. The London merchant invested his new-gotten wealth in land and became the founder of a family; it was from the descendants of men like Nicholas Wotton,[1] Thomas Knolles,[2] Geoffrey Boleyn,[3] and Ralph Josselyn,[4] not to mention others, that the new nobility was to spring.

The constitutional and political history of London in the fifteenth century is, however, of less interest than the commercial growth, with which it was in fact so closely interwoven. The lines of that growth were determined by the triumph of the trading gilds at the beginning of the century. The names Mercers, Drapers, and Grocers are misleading if we do not remember that at all events the principal men of these crafts were rich merchants engaged in foreign trade. To a great extent they displaced the Fishmongers and Vintners whose command of shipping had at an earlier time given them exceptional importance. Though the Goldsmiths were not in the same degree concerned with trade, they had already begun the financial transactions from which our modern banking took its origin. The mere craft name furnishes slight indication of the business of the merchant. Stephen Browne was nominally a Grocer, but was also

[1] Mayor in 1415. His grandson Edward Wotton was ancestor of Edward, Lord Wotton, and of Sir Henry Wotton.

[2] Mayor in 1410. Ancestor of the Earls of Banbury.

[3] Mayor in 1457. Great-grandfather of Anne Boleyn.

[4] Mayor in 1466. Ancestor of the Earls of Roden.

a large corn-factor and interested in the cloth-trade; his wharf and dwelling-place on the Thames included both granaries and a cloth-house.[1] Sir William Stocker, who was a Draper, may as such have had a natural interest in Mediterranean trade. But he imported wine as well as goods proper to his nominal business; so Thomas Henham wrote to Sir William Stonor that Stocker had a ship coming with Malmsey and other sweet wine, which he expected every day; Stocker would not in the meantime send his client any wine that was not good, but when the ship arrived would purvey for him a rundlet of Malmsey.[2]

The London merchant was not necessarily a shipowner, and more commonly freighted his goods in any convenient vessel. It was not till the latter part of the century that English ships began to penetrate to the Mediterranean, though they traded to the Baltic, to Gascony and to the Spanish peninsula, as well as to ports nearer home. The lucrative trade with the Mediterranean was carried on by the great galleys and carracks of Venice and Genoa, and Italian merchants, though regarded with increasing jealousy, had still a large share in the commerce of London. In the early part of the reign of Edward IV Gerard Caniziani, factor for 'the fellowship of the Medici of Florence', was one of the foremost financiers in London. But English merchants had similarly agents of their own abroad, both in the Low Countries,[3] and also farther afield. Early in the reign of Henry VI John Chirche had his agent at Seville, who may have been a Spaniard.[4] But forty years later we find Englishmen in Spain. In the reign of Edward IV John Davell, factor to Henry Denys of London, grocer, was with other English merchants at Seynt Lukes[5] in Spain, attending every man after his craft; but Davell, by his riotous and misguided conduct, got into financial

[1] *Archaeologia*, lxxiv.
[2] *Stonor Letters*, ii. 90.
[3] See *Oxford Studies in Social and Legal History*, iv. 212.
[4] See p. 88 above.
[5] San Lucar near Cadiz.

trouble and endeavoured to conceal what had happened by presenting false accounts to his master.[1] Much about the same time William Cannynges, the famous Bristol merchant, sent his son by way of merchandise oversea, where he was taken prisoner by brigands and held to ransom.[2]

At the beginning of the fifteenth century English trade was governed by the Ordinance of the Staple. The Staple was an appointed place, ultimately fixed at Calais, to which certain goods (wool being the chief) might alone be brought for sale. In England there were towns of the Staple, London of course being the principal one, where goods for export were collected and shipped under the seal of the Mayor of the Staple. For a time the London woolstaple was fixed at Westminster, where the place-names of the Long and Round Woolstaple preserved its memory. But this caused so much discontent that it was in 1463 removed to the Leadenhall. Far into the fifteenth century the most important London merchants were Merchants of the Staple. The Staple was, however, a close corporation, and close corporations always breed unlicensed rivals. So there came into existence a body of traders, who being free from the restrictions of the Staple, could trade where they would; but since they did so at their own risk were known as Merchant Adventurers. They in their turn obtained a charter in 1407, and were given special privileges. At first they had traded chiefly to Flanders, where they had their own house at Bruges of which Caxton was long governor. But as early as 1427 they had a factory at Bergen, where they competed for the Baltic trade with the Hanse Towns. They also sought fresh markets in Spain and Portugal, and by the close of the century were finding their way into the Mediterranean and wresting English commerce from the control of the Venetians and Genoese. It was the activity of the early Merchant

[1] *Early Chancery Proceedings*, 66/230. [2] *Ib.* 64/181.

Adventurers which paved the way for the great trading companies of the next age, and for the establishment of London as the centre of a world-wide trade.

In the fifteenth century, however, the mainstay of English commerce was still the wool trade, of which the wealthy Merchants of the Staple at London had the most lucrative share. Not unfrequently they were in partnership with or acted for the country gentlemen or nobles from whose estates the wool came. Men like Sir William Stonor did not disdain to take an active share in commerce and to style themselves Merchants of the Staple. Even the King himself and nobles like the Earl of Essex and Lord Hastings exported their own wools from London. The practical interest of Edward IV in trade is familiar, but before his reign in 1458 the King's wools had been shipped from London in large quantities.[1] On how great a scale the trade was conducted is shown by the record that on 31st May 1458 no less than twenty-nine wool ships put out from the port of London for Calais, and on 4th July 1478 as many as forty.[2] The ships did not, however, all hail from London, and many of them were assembled from little sea-ports lower down the Thames. Safety would of course have been one reason for sailing in company, but the exceptional number in these summer voyages is probably to be explained by the holding of special marts at Bruges at that season.

The London merchants were not merely exporters, but themselves bought up wool and cloth from the graziers and manufacturers. From the *Cely* and *Stonor Papers* we are able to reconstruct the whole transaction from the purchase of the wool and its delivery in London to its shipment to Calais and sale. Every autumn the merchant

[1] *Customs Accounts*, London, 74/37; over 300 sacks.

[2] *Id. ib.*, and 73/40. The shippers on the latter occasion include the Celys, Thomas Betson and William Stonor, Richard Gardener, and Lord Hastings, who is styled Merchant of the Staple. Betson's wools were shipped in *The Jesus* of London, John Lollyngton, master. Cf. *Stonor Letters*, ii. 61.

would ride into the country to make his purchases. In September 1478, John Elys, a London mercer, contracted with Robert Warner of Watlington in Oxfordshire for the purchase of twenty-five sacks of wool, which were to be packed and wound at Watlington by an indifferent person of the fellowship of wool-packers of London. The wool was to be delivered in London before Candlemas at the Leadenhall, where it was to be weighed in the accustomed manner. Payment was to be made in part at the time of the contract and the residue on delivery.[1] In another document, which relates, however, to a different transaction, we have the receipt to Warner from Richard Gardener and John Elys for the delivery of eleven sarplars of wool in January 1476, the quality and price of the wool and the numbers marked on the sacks being carefully specified.[2] A sarplar usually contained two and a half sacks, but as the sacks were not quite uniform the weighing at Leadenhall was necessary. At the Leadenhall the wool was stored till there was a convenient opportunity for its shipment, probably in the early summer. When the wool was shipped, the merchant or his representative crossed over to Calais to negotiate a sale, either to the Flemish merchants who came there or at the Mart at Bruges. When Thomas Howlake sold Stonor's wool in 1478 he received payment in part by a bill at sight and in part by bills due six and twelve months later. It was customary to give some rebate on a sale, and Howlake informed his master that since the merchants with whom he had dealt were as good as any that came out of Flanders he had made the more allowance.[3]

From the *Cely Papers* it would appear that one of the Celys would generally go down to the Cotswolds himself to superintend the packing.[4] The Cotswolds were one

[1] *Supplementary Stonor Letters* ap. *Camden Miscellany*, xiii. 12, 13.
[2] *Stonor Letters*, ii. 1.
[3] *Ib.* ii. 2–5, 47–8, 61–3; *Cely Papers*, 2, 3, 41–3.
[4] *Ib.* 26, 27, 89, 102.

of the chief sheep-grazing districts, and 'Cotswold wool' would almost seem to have become a trade term for wool of the best quality.[1] Warner in 1476 described his wool as in part Cotswold wool and in part middle wool, and in 1478 contracted for the delivery of 'Cotswold wool', though his own district was the Chilterns. The Cotswolds and the Chilterns, though the most important, were not the only sources of supply; the Celys bought wool in Leicestershire also,[2] and almost all great landowners from the King downward were interested in the wool-trade.

The methods by which wool was collected for export are only an example of transactions in other wares. In the reign of Edward IV we find Robert Bangell of London, grocer, purchasing cloth from John Hall, a weaver of Worcester.[3] Stephen Browne, who was a great corn-factor, had licence in 1439 to buy wheat in the counties of York, Lincoln, Kent, and Sussex and convey it to London by land or water.[4] In November 1490 we find Robert Close of Ormesby in Norfolk contracting with a London merchant for the delivery of 120 quarters of wheat at Billingsgate in the following spring.[5]

The London merchants were distributors as well as collectors. So in the Plea Rolls we find frequently that London merchants are suing country dealers and chapmen for money due.[6] The defaulters seem most usually to have been chapmen, probably because they were

[1] This is not necessarily contrary to the case in *Early Chancery Proceedings*, 64/585, where Thomas Forster, mercer of London, lodged a complaint against Ralph Kempe, another mercer, for having sold to him twenty-one sarplars alleged to be all young Cotswold of good packing which proved to be Buckingham wool not well packed. The document, though not pertinent here, is of much interest for the wool trade.

[2] *Cely Papers*, 58, 105.

[3] *Early Chancery Proceedings*, 64/61; for another case in 1452 see *Oxford Studies in Social and Legal History*, iv. 211.

[4] *Cal. Pat. Rolls*, Henry VI, iii. 345. [5] *Plea Roll*, 919, m. 320.

[6] The systematic search of a Plea Roll is a laborious task. The fortuitous examination of 3 Rolls—viz. 771, Michaelmas 32 Henry VI; 883, Hilary 22 Edward IV; and 919, Hilary 7 Henry VII—probably affords a sufficient test: they of course include other cases besides those cited.

financed by the merchant, who gave them credit. Generally the merchant's clients came from the same district. Godfrey Feilding in 1453 apparently traded in Derbyshire and Lancashire ;[1] Nicholas Alwyn in 1491 had Somerset clients ;[2] Geoffrey Boleyn in 1453, however, had clients as far apart as Essex and Dorset.[3] It is only rarely that any particulars are given of the goods supplied, but in one instance they are described as silken corses, girdles, and laces.[4] So the travelling chapman sold in the fifteenth century very much such an assortment of wares as his successor did four hundred years later. In these few instances we get an indication of the extent to which London was already becoming the main distributing centre of home trade.

In London the wharves for foreign trade occupied the riverside from the Bridge to the Tower. About the centre was the Custom House and Wool Key. The eastern part with Galley Key was frequented by the Italian galleys. West of the Custom House were numerous wharves called after the names of their owners ; as the names were in consequence frequently changed, the history of any particular wharf is difficult to trace.[5] For Asselyn's Wharf, which was immediately west of the Custom House, we have, however, an almost unbroken succession from 1360 to 1614.[6] Throughout the fifteenth century Asselyn's Wharf was occupied by grocers, the two principal ones being Stephen Browne and Thomas Bledlowe. It included not only a quay with granary, cloth house and other stores, but also the merchant's own dwelling-house. This was probably usual, though in some cases the owner of a quay had his mansion elsewhere. Even in the fifteenth century it was not possible

[1] *Plea Roll*, 771, m. 81. [2] *Ib.* 919, m. 100. [3] *Ib.* 771, m. 200.

[4] *Ib.* 919, m. 340 : Thomas Mylys, mercer of London, *v.* Thomas Tower of Aylesham, Norfolk, chapman.

[5] Miss Putnam has given the history of Smart's or Marrowe's Key ap. *Oxford Studies in Social and Legal History*, vii. 122.

[6] See *Archaeologia*, lxxiv.

for all ships to come to the quays. The greater ships, at all events, often lay in the River and were discharged or laden by lighters.[1] Sometimes the ships lay as far down as Gravesend, whither their cargo was taken from London in barges.[2] Anciently the wharfs above Bridge had been used for foreign trade, and even in 1464 there was an ordinance prescribing the proportions of victualling ships which might unload at Queenhithe or Billingsgate.[3] These, however, were probably coasting-vessels of no great size, and in 1481, owing to the injury caused by the frequent use of the drawbridge, it was ordered that it should be drawn only for great necessity and defence of the City.[4] After this time the direct trade above Bridge must have been river-borne, as indeed such names as Wood Wharf and Haywharf suggest that much of it had commonly been before. But the river traffic itself was not unimportant, and the barges plied regularly on the Thames from London at least as far as Henley.[5] Moreover the River was the great highway of London itself. There are said to have been 2,000 wherries, and though the number is as usual probably exaggerated, it was by water that the merchant went from one end of the City to the other, or the lawyer from the Temple to Westminster.

It is impossible to understand medieval London without some knowledge of its outward appearance. For this purpose one cannot improve on the old device of a fancied perambulation, at the beginning of the century, with due licence to anticipate when occasion requires. Let us for this purpose take our start from the Stocks Market, where the Mansion House now stands, the point which was then as now the centre of the City's life. A little over a hundred years before it had been a void place, but the way being large and broad, Henry le Waleys

[1] *Letter-Book*, L, pp. 22, 46.

[2] *Customs Accounts*, London, 73/25; a barge left London on 17 Sept. 1451 for Gravesend with cargo for a ship for foreign parts.

[3] *Letter-Book*, L, pp. 45–7.

[4] *Ib.*, p. 180.

[5] See *Stonor Letters*, ii. 5, 19, 45, 65–6, 72.

in the reign of Edward I built a fish and flesh market there for the convenience of those who dwelt in the centre of the City. As we turn west into the Poultry we may find the street obstructed with the benches of the dealers, though this was strictly forbidden. On our right hand is the ancient church of St. Mildred, and against it on the west the Compter, one of the sheriff's prisons. Straight in front is the Great Conduit, castellated with stone and cisterned in lead ; there the brewers' men may be busy drawing water in their ' tynes ' and obstructing the housewives who want their daily supply. On the left hand is the north end of Bucklersbury, and if it happens to be simple-time the perfume from the shops of the apothecaries may reach us. Opposite is the Hospital of St. Thomas of Acon, built on the site of the house where Thomas Becket was born. This part of Cheap is called the Mercery, and at a later time the Hospital became the Mercer's Hall. All along Cheap various trades have their special quarters ; beyond Bow Church on the west is the Drapery on the south side, and opposite it the Tailors and the Skinners have their shops.[1] Of Bow Church we can see the half-built steeple, but the lower part is hidden by the Crown Seld, the stone gallery which Edward III erected in 1331 for the witnessing of jousts and shows. Thither in her pride came Eleanor Cobham in 1441 on the night of the Marching Watch to be arrested as she sat at supper. Over against it in the street is the Standard, a conduit grown very ruinous with age which later on Thomas Knolles rebuilt of stone. Here was the place of execution, where Wat Tyler beheaded Richard Lions, and Jack Cade murdered Lord Say, and here at a later time was set up the scaffold whereon Perkin Warbeck stood in 1498 to be wondered at. At the north end of Friday Street is Cheap Cross, already beginning to fall into decay though little over a hundred years old. We have

[1] This was the ancient position. See *London Topographical Record*, xiii. 29–32. But in the fifteenth century such a close division was possibly getting out of date.

now reached the Goldsmithery, or Goldsmiths' quarter, though many of the craft have their shops up Guthron's Lane where their hall is. Goldsmiths' Row, 'that most beautiful frame of fair houses' all richly painted and gilt, was not set up till 1491, when an Italian thought that in Rome, Milan, Florence, and Venice together there could not be found so magnificent a display of silver vessels.[1]

At the end of Cheap we come to the church of St. Michael le Querne, where a gateway on the left leads into Paul's Churchyard. The road bends northwards by Bladder Street, short but wide and at its west end divided by Butcher's Row. On the south side of the Row is Mountgodard Street, where behind the butchers' shops are slaughter houses inward and tippling houses outward: it was called, writes Stow in his humorous mood, 'of the tippling houses and the godards or tankards mounting from the tap to the table, from the table to the mouth and sometimes over the head'. Thus we pass into Newgate Street, where, the street being as much as 50 feet wide, the foreign poulterers are allowed to hold their market. Here above the newly built Bridge House Rents rises the great church of the Grey Friars, so splendid that men wondered how the money could have been found to build it; the stained glass in its windows was a marvel for all to see. Opposite is the little church of St. Ewen, and down Old Dean's Lane[2] we may catch a glimpse of the great Inn of the Earl of Warwick. In front is Newgate with its hateful prison, now very old and shortly to be rebuilt by Whittington. When we pass through outside the walls, the houses are still closely built, above them to the north rise the towers of St. Bartholomew's, of the Charterhouse and of St. Johns. Close by is Smithfield, and the street is thronged with cattle-drovers and horse-dealers.

The road bends as it dips down to cross the Fleet at Holborn Bridge, and then begins to rise. We are now

[1] *Italian Relation*, p. 42 (Camden Soc.).
[2] Now Warwick Lane.

well out in the suburbs in the midst of great houses with large courtyards and fair gardens. Many nobles and men of rank have houses here, like the lords Charlton, Strange, Scrope, and Burnell.[1] The slaughtering of cattle near Holborn Bridge and the casting of filth into the Fleet had been a nuisance till the rich residents obtained an order to forbid it.[2] On our left is Holborn Hall, once the home of the Black Friars and afterwards the London Inn of the Earl of Lincoln; now it belongs to Lord Strange of Knockin. On the right is Scrope's Inn, which fifty years later was occupied for a time by the Serjeants-at-law. Beyond the ancient church of St. Andrew comes Thavies Inn, where the lawyers have been in possession for many years past. On the north side lies Ely Place, lately rebuilt by Thomas Arundel whose arms are carved in the stonework of the gatehouse. It is a fine house with large gardens and a vineyard. On the west of Ely Place is Leather Lane and on the other side of the lane stands Furnival Inn, the house of Sir William Furnival, which a little later was acquired by the lawyers. The lawyers are much in evidence here. Next Furnival Inn Sir William Hankford, who became Chief Justice in 1413, presently built himself a house in a large garden, which descended from him to the Earls of Bath and was called Bath Place.[3] On the opposite side Barnard's Inn was built some forty years later. Next to the site of Barnard's Inn is an Inn which the Abbot of Malmesbury lately acquired from Thomas Lincoln, a lawyer; there the abbot has his chambers, with a chapel and a great garden; but it is still sometimes called Lincoln's Inn. Beyond is Staple Inn,[4] once the house of a rich mercer; this also before long

[1] On these and other houses see generally my *Historical Notes on Medieval London Houses* ap. *London Topographical Record*, x–xii.

[2] *Letter-Book*, H, p. 372.

[3] Both Furnival Inn and Bath Place are now covered by the offices of the Prudential Assurance Company.

[4] The name has nothing to do with the Wool Staple. Staple or Stapeled Hall probably meant the pillared hall. There were other Staple Halls in other parts of the City.

passed into the hands of the lawyers. Here we are at Holborn Bars and are outside the City; as we look westwards we may catch sight of St. Giles's Church standing in the midst of green fields. But we are not yet past the houses; on the left is the Old Temple, which has long been the London Inn of the Bishops of Lincoln, and on the right is the great Inn in a large garden which the lawyers have lately leased from the Lord Grey of Wilton.

We turn down Chancery Lane and come to another great Inn also in a large garden. It was built by Ralph Neville, who was long Chancellor under Henry III and may have given name to the lane.[1] Early in the fifteenth century this Inn was also acquired by lawyers, who called it Lincoln's Inn; probably they came from a former Lincoln's Inn in Holborn, but from which of the two inns of that name is doubtful. A little beyond the Bishop of Chichester's gate, but on the other side, is the house which Henry III built for converted Jews, but now already in use for the keeping of Rolls and Records. Opposite the Rolls House stands Harflete Inn, which belonged to Nocton Priory, but was later acquired by the Six Clerks of the Chancery.[2] Then at the end of the lane at the corner of Fleet Street, on the east side, comes another Inn of the Bishop of Ely, who has recently rebuilt it and let it to the Serjeants-at-law.

We are now back in the City and opposite to us is the gate of the New Temple. As we look through Temple Bar we may see at the end of the narrow street the tower of St. Clement's Church and the gatehouses of the Inns of the Bishops of Exeter and Bath. The houses extend on both sides as far as we can see, but immediately behind the houses on the north are Fickets Fields where the Lollards assembled in 1414, and thence the country lies open right away to St. Giles's Church.

[1] More probably the name Chancery Lane originated in the fourteenth century.

[2] Now the Incorporated Law Society.

But let us turn back along Fleet Street. Here there are many public hostelries for strangers, besides private inns of gentlemen, abbots, and even bishops. First on the left comes Clifford's Inn, which the lawyers have lately leased from its owner. Close by are the Saracen's Head, the property of the gild of St. Dunstan, and the Sword, both famous hostelries. Farther along on the north we come to Brocas Inn, the house of a gentleman of Hampshire, and next door is the Inn of the Abbot of Cirencester called the Popinjay.[1] Down Bride Lane on the other side are Inns of the Abbots of Tewkesbury and Faversham, and in front of them is the Inn of the Bishop of St. Davids, which is no great thing. But behind St. Bride's church lies the Bishop of Salisbury's fine place with pleasant gardens reaching to the river. To the west rises above the houses the Church of the Whitefriars, lately rebuilt by Sir Robert Knolles that was the great warrior. We cross the Fleet, a noisome stream polluted by the refuse which the tanners and butchers higher up persistently throw in. Up Fleet Lane, a little beyond the bridge, is the Fleet Prison, surrounded by an equally filthy ditch.

As we pass through Ludgate by St. Martin's Church into Bowyer's Row we see the spire of St. Paul's soaring 500 feet above us. Could we turn aside on the right we should come to the house of the Black Friars with its great Parliament Hall, and to the Old Inn, the home of the Duke of York, afterwards rebuilt by Duke Humphrey of Gloucester and called Baynard's Castle.[2] Hereabouts also are there many fair houses of nobles and gentlemen. Through Paul's Churchyard into Watling Street, where some of the wealthiest drapers have their houses. As we pass along we may be stopped by the porters coming with their packs from Queenhithe or by the train of some great noble, perhaps one of the Earls of Westmorland, Arundel,

[1] See *London Topographical Record*, xiii. 36–8 and 49–50. They are now represented by Racket Court and Poppin's Court.

[2] After Humphrey's death it was recovered by Richard of York. Edward IV was staying there when he received the offer of the crown.

or Somerset, riding through the City to the Erber, to Pountney's Inn or to Coldharbour. Through Budge Row, called of budge fur and skinners dwelling there, we come to the Walbrook, even more noisome than the Fleet and soon to be hidden underground. On the right Dowgate leads down to Thames Street and the Steelyard; in front in the midst of the roadway is London Stone,[1] and behind St. Swithun's Church is the Prior of Tortington's Inn,[2] once the house of Henry of Londonstone, first mayor of the City. Through Canwyke Street [3] into Eastcheap with its cookshops, not wealthy like its western rival but clamorous with the crowd of dealers crying their wares.

So along Gracechurch Street into Fenchurch Street, where there is nothing to note till near Aldgate, when we pass on the right the Inn of the Earl of March, and Montjoves Inn, once the property of Hornchurch Priory but lately acquired by William of Wykeham for his New College at Oxford. We need not pass through Aldgate, for Portsoken is a mean suburb, though beyond it lies Whitechapel in the fields, and farther off at Bethnal Green and at Stepney, where the bishop has his manor, London merchants are beginning to build pleasant country houses.

We turn northwards under the stately pile of Trinity Priory, past Bevis Marks, the Inn of the Abbot of Bury, and the Earl of Oxford's place to Bishopsgate. Just outside the gate is Bethlehem Hospital; the houses stretch far along both sides of the street, but behind them are open fields in which the citizens take their sport. As we turn back down Bishopsgate Street we pass many good taverns and fair and large houses for merchants; here at a later time Sir John Crosby built his famous house near St. Helen's Church. Going westward by Lombard Street we come soon on the right to an alley leading up to The George Inn, a famous hostelry where the ambassadors

[1] Now in a niche in the wall of the church. [2] Now Salters Hall.
[3] Or Candlewick Street, now Cannon Street.

of the Emperor of Constantinople were lodged at the charge of King Henry IV.[1] A little farther on on the same side is the Inn of the Earl of Suffolk, which had been the house of the Florentine merchants of the Society of the Bardi, and was afterwards known as the Pope's Head.[2] In a few steps we reach the Stocks Market whence we started.

We have not, of course, in our perambulation been able to cover more than a small part of the City. Something must therefore be added as to the extent of its buildings. The City had always included a considerable area beyond the walls, broken only at one point by the later Moorfields, where the marshy nature of the soil prevented habitation. On the east the whole of Portsoken Ward lay outside the walls; it was a poor quarter where even in Stow's time there was still much open ground used for tenter-yards. Beyond there were scattered houses extending towards Whitechapel. On the north the wards of Bishopsgate, Cripplegate, and Aldersgate all extended beyond the walls. Outside Bishopsgate there were probably houses only along the highway, but Cripplegate and Aldersgate Without were more thickly inhabited. In Cripplegate there were some great houses like Barbican, which belonged to the Lords Willoughby, and the Abbot of Ramsey's Inn. The great ward of Farringdon Without was, however, by far the most important of the London suburbs. The presence of four ancient parish churches[3] within its bounds shows that it must have been fairly inhabited from an early time. At the close of the fourteenth century it had become so populous that in 1394 it was divided from Farringdon Within and constituted a separate ward. In 1426 the parish of St. Sepulchre alone was said to have had over 2,000 inhabitants,[4]

[1] Now the George and Vulture in George Yard.

[2] Till lately marked by Pope's Head Alley; now once more built over for a bank.

[3] St. Sepulchre, St. Andrew, St. Bride, and St. Dunstan.

[4] *Cal. Papal Registers*, vii. 474.

probably the greatest number of any of the London parishes. By that time there was in all likelihood little open ground, other than gardens, in the ward. Already the houses were beginning to extend farther; outside Smithfield Bars there was some population about the two Priories at Clerkenwell, and beyond Holborn the houses extended towards though they did not reach St. Giles-in-the-Fields. On the south-west St. Clement Danes outside the Bar of the New Temple had long had its cluster of houses. Here the street fronts on the Strand of the Inns of the Bishops of Exeter and Bath[1] had been built over by the beginning of the fifteenth century. The street front of Chester Inn which came next must also have been built over by this time, for Hoccleve the poet was resident there in the reign of Henry IV. The Bishops' Inns extended all along the south side of the Strand, except at the Savoy, as far as Charing Cross. All the way there were probably scattered houses on the street front, though the front of Norwich Inn, which was the most westerly, was not completely built over till the reign of Henry VIII. On the north side of the Strand there were continuous houses from Temple Bar to the west end of Holywell.[2] We hear of Lyons Inn in Holywell in 1385,[3] and the history of the adjoining New Inn goes back at least to the middle of the fifteenth century. But farther west there was no habitation worth mention till the little cluster about St. Martin-in-the-Fields. The whole area behind the houses in Chancery Lane and the Strand remained open till the reign of Elizabeth. Even when Stow wrote in 1598 there were no houses farther west than Charing Cross, though southwards there had been continuous building as far as the Palace and Abbey at Westminster for centuries before. Westminster itself was in the Middle Ages but a small place,

[1] The two inns and their subordinate tenements covered nearly the whole area from Temple Bar to the present Surrey Street.

[2] Near the present church of St. Mary le Strand.

[3] *Public Works in Medieval Law*, ii. pp. 58, 64 (Selden Society).

though the presence of the Palace and the law courts attracted some courtiers and lawyers to dwell there. Across the River there was a considerable population at Southwark, where in the fifteenth century there were many good inns for travellers besides Chaucer's 'Tabard'. But Southwark was wholly outside the City's jurisdiction and partly for that reason had a bad repute for houses of ill-fame, and mean tenements inhabited by needy persons, aliens, and others.

Our fancied perambulation will incidentally have served to picture London as a city of churches and great houses. The numerous churches should have been a redeeming feature in the principal streets, but when, as was often the case, they stood back from the highway, they were commonly obscured by mean dwelling-houses. The many fine houses of rich citizens and nobles can have added little to the appearance of the streets, since except for their gatehouses the frontages were usually let off in subordinate tenements. The streets themselves were generally narrow;[1] they were paved, but without foot-paths and with an open kennel running down the midst of the roadway. Thus they were commonly mean and dirty. There were, it is true, strict ordinances for their cleansing and maintenance, but there was a lack of any organized system, and the actual responsibility rested with the individual householders, who often neglected their duty. The first attempt at lighting was made in 1411, when it was ordered that during winter a lantern should be hung out at every house.

Both of houses and churches something more must be said. It has, of course, been possible to mention only a few of the many houses of nobles, gentlemen, and ecclesiastics; for it would be an error to suppose that medieval London was inhabited merely by citizens, merchants, shopkeepers, and artisans. It had its aristocratic quarters; in the south-west about Baynard's Castle,

[1] Even in More's model city of Amaurote (which was an idealized London) the streets were only 20 feet broad; *Utopia*, Book II, c. 2.

in the western suburb and in the north-west near Aldersgate and Cripplegate. But there were other Inns of nobles and gentlemen scattered over all parts of the City. The Bishops of London and Hereford were the only ones who had houses inside the walls, though there were some other episcopal residences within the bars. On the south side of the Strand the bishops' inns stretched in almost unbroken line from Temple Bar to Charing Cross. The Archbishop of York lay at Westminster, and the Bishop of Winchester within his own diocese at Southwark. At Southwark also there were inns belonging to south country religious houses like St. Augustine's, Canterbury, Lewes Priory, and Hyde Abbey. The inns of abbots and priors were generally to be found near the gate by which they would come in. The medieval merchant lived as a rule where his business was, but Milk Street, Bishopsgate Street, and Lime Street were no doubt favoured by wealthy citizens, as they still were in the reign of Elizabeth. Some of the most famous London houses like the Coldharbour, Pountney's Inn, and the Erber were originally built by merchants, but being too sumptuous for ordinary citizens passed into the hands of noblemen. It was only in their size that they differed from the houses of men of less degree.

All London houses of any importance seem to have been built on the courtyard plan. Towards the street on either side of the gatehouse there were subordinate tenements or perhaps the domestic offices. On one side of the court there would be the hall, with a parlour looking out on the garden, which was used as well to plant herbs therein as to walk in for recreation. The court might be a very small place no more than 30 feet square,[1] though at Crosby Place and at Stephen Browne's house in Thames Street it was more than double that size. The hall might be a spacious apartment; Browne's hall was 40 feet by 24. Usually the hall had an open roof and was a timber-framed building erected on a vaulted undercroft of stone. The

[1] At Shelley's House it was barely as large.

vaults probably extended under all the principal parts of the building and formed the merchant's stores, though Browne had also a separate garner and a cloth-house. There were, of course, other chambers proportionate to the size of the house, and in the largest merchants' houses a chapel was a common feature. The garden was probably very small; one of which we know the size was less than 70 feet by 45;[1] even at the Coldharbour, one of the greatest houses in the City, the garden was only about double that size. Houses in the suburbs, like the bishops' inns in the Strand, had, of course, much more spacious gardens. But even within the walls the garden often included a vinery. Most of these details might be put together from isolated references; but the recent fortunate discovery of a nearly complete description of Stephen Browne's house has furnished us with them all in a single instance, and made it possible to reconstruct its plan.[2]

The houses which have just been described were so large that they could be easily divided to accommodate more than one household, and so we find sometimes several members of a family living together. The homes of the poorer citizens were, of course, much humbler, with perhaps no more than the shop, a solar (or chamber), a kitchen, and a cellar. The lease of a draper's house and shop in the parish of St. Christopher[3] gives us a description of a house of an intermediate character. In the shop there were two couch-boards (to hold the goods) and a showing-board (or as we should say a counter), and the shop was hung round about with black buckram, 'stained' or painted with some ornament. In the window there was a stall for the display of goods, and in the adjoining warehouse there were more couch-boards. For living-rooms there was a hall ceiled with estrich board,[4] opening out of the kitchen. The kitchen was paved, and had a lead cistern, a dressing board, two shelves, and a hatch.

[1] Shelley's or Bacon House, see *Archaeologia*, lxxi, 33.
[2] See *Archaeologia*, lxxiv.
[3] Now covered by the Bank of England.
[4] Deal from East Europe.

There was also a buttery. Above stairs there seem to have been three chambers; in one there was a standing bed, and in another a press covered with boards round about and closed underneath.[1] The Rectory of Trinity Church in 1452 contained a hall with trestle-table, a chair, cupboard, and bankers and dorsers (for the seats and backs of the benches, which were probably fixed against the walls). There were two chambers with beds and a press, and in the kitchen there were a washing sink and shelves. The glass-windows, which were counted as part of the furniture, are also specified.[2] These two afford fair instances of houses of the middle class. Even in these the rooms were probably of no great size, and the majority of houses must have been very small. In one case it is stated that as many as twelve houses were built on a front of 49 yards; that was near Charing Cross,[3] and in the City tenements may have been even of less dimensions.

Of the numerous churches which were so marked a feature of a medieval town, some may in the first instance have been erected from religious motives and not merely to supply the actual needs of the population. But in London, at all events by the fifteenth century, over one hundred churches were perhaps not too many. The common enlargement of London churchyards about the middle of the fourteenth century may have been due rather to the ravages of the Black Death than to an increase in the number of inhabitants. But during the fifteenth century, or very soon afterwards, we know that over fifty of the London churches were rebuilt or enlarged. This may have been due in part to the piety of wealthy benefactors, who built chapels whether as burial places or chantries. But in some cases the rebuilding was clearly to supply the increased needs of the parish.

[1] *Ancient Deeds*, C. 902.

[2] Will of William Grace, ap. *Commissary of London*, Sharpe, f. 118. He left his furniture for the use of his successors.

[3] On the front of Norwich Inn; see *London Topographical Record*, xiii. 46.

Thus St. Bride, Fleet Street, which was of old but a small thing, was in 1480 increased with a large body and new aisles. At the neighbouring church of St. Dunstan in the West a new chapel was added in 1421, and later in the century St. Sepulchre, another of the churches in the growing western suburb, was much enlarged. Within the walls the old church of St. Stephen Walbrook being too small for the parishioners and incapable of enlargement, an entirely new church was built on another site in 1428, mainly at the cost of Robert Chichele.[1] A few years later St. Mary Woolchurch, being old and feeble, was entirely rebuilt; in this case there was some adjustment of the site to prevent the obstruction of light to the neighbouring Stocks Market.[2] The rebuilding of St. Helen's about 1470 by Sir John Crosby and Nicholas Marchall was perhaps in the main an act of piety. When St. Andrew Undershaft, one of the few medieval churches still left in London, was rebuilt some fifty years later the work was done at the cost of the parishioners, every man putting to his helping hand; this large church was probably rebuilt to meet a growing need.

Most of the London churches had one or more chapels. At St. Sepulchre there were seemingly five, and at other churches there were three or four. There were often also several altars. Some of the chapels were chantries, and others together with many of the altars were intended for the service of the fraternities or gilds, which filled so great a part in the religious and social life of the time. There were one or more fraternities attached to most churches. Altogether I have noted references to about 160;[3] some may have been short-lived and amalgamations were not uncommon, so that the number at any one time was probably less. Some, no doubt, were

[1] *Cal. Pat. Rolls*, Henry VI, i. 492.

[2] *Letter-Book*, K, pp. 267–8, 272.

[3] This is much greater than the number given by Professor Unwin, *Gilds and Companies of London*, 367–70. The figure given above is based on the evidence derived from a large number of wills at Somerset House.

small and were dependent on the regular offerings of the members; but others, like the Gild of Salve Regina at St. Magnus, the Peny Brotherhood at St. Lawrence Jewry, or the Gild of St. Dunstan and St. Mary at St. Dunstan-in-the-West, were large and had considerable endowments. Though rectors and vicars were often non-resident, most London churches seem to have had more than one priest permanently attached to them. Chantry priests were commonly expected to take their share in the services of the church, and at St. Sepulchre in 1453 it was provided that there should be not less than eight stipendiary chaplains.[1] To judge from the Chantry Certificates of 1547, the number of clergy in London was then much less than it appears to have been one hundred years before. It is easy to find instances of corruption and immorality amongst chantry priests, but others of the London clergy are known to have been men of good repute. For all the persistence of Lollardy, the forms and observances of the ancient faith had not lost their hold on the imagination and belief of London laymen.

The great churches of London were all practically built before the fifteenth century opened, though the church of the White Friars was not finished till some years later. The conventual buildings at Grey Friars were however in great part reconstructed, chiefly through the liberality of Whittington, and at the less important house of the Crutched Friars building was in progress at the end of the century. We should have an imperfect idea of medieval London if we did not remember that it had other great churches besides St. Paul's. Within the walls were Trinity Priory, St. Martin-le-Grand, Grey Friars, Austin Friars, and Black Friars. Outside on the east was the Abbey of St. Mary Graces, and on the west White Friars, the Priory of St. Bartholomew, the Priory of St. John at Clerkenwell, and the Charterhouse. There were also some lesser churches like that of the Hospital of St. Thomas of Acon. Of Old St. Paul's, ' a minster of

[1] Will of William Andrewe ap. *P. C. C.* 13 Stokton.

such worthy, strong and costly building, so large, so pleasant and delectable that it passed all comparison',[1] there is no need to speak. But most of these churches were turned to secular uses and destroyed at the Reformation, whilst the Grey Friars Church and St. Paul's perished in the fire of 1666. So to-day there only remain the noble fragment of St. Bartholomew's and the nave of Austin Friars.

The fifteenth century was a great age for secular building in London. The Guildhall was begun in 1410, and much of the original work still survives. Newgate, both prison and gate, was rebuilt by the liberality of Whittington. Several of the Companies, like the Drapers, built new halls, and individual citizens and nobles provided themselves with fine houses, of which Baynard's Castle and Crosby Place are the greatest examples. All this building and rebuilding of churches and houses is the best proof of the wealth and prosperity of the citizens.

The aspects of fifteenth-century London are too many and varied to deal with them all in brief space.[2] So it has seemed best to dwell rather on some that are less familiar. Of London merchants much might be written. Whittington, the most famous, was styled soon after his death 'the sun of marchandy'; but great merchant though he was, he deserves most to be remembered for his munificent charities.[3] Of some others mention has been made incidentally. In the actual social life of the citizens there was perhaps little that was peculiar to London. We get a few glimpses of tavern life, but we have no such record as Elizabethan satirists left us of a later age. Some of Stow's reminiscences of his youth[4] are probably applicable to the fifteenth century, such as the merry-making on the vigils of feasts, when bonfires were lighted in the

[1] Stow, *Survey*, ii. 347.

[2] Of London schools in the fifteenth century some account is given on pp. 36–9 above.

[3] The legends about him are almost wholly baseless.

[4] Stow, *Survey*, i. 103.

streets and the wealthier sort would set out tables furnished with sweet bread and good drink and invite all passengers to be merry with them in great familiarity. Every year on Midsummer Eve and on the eve of the feast of SS. Peter and Paul came the celebration of the Marching Watch, when the men of every ward, in bright harness with numberless cressets burning, passed through the streets, whilst all the houses were garnished with flowers and had lamps of glass with oil burning in them all night. Each year there appears in the City Records the order for the Watch, with a provision forbidding taverns to be open after ten o'clock.[1] This provision was first made in 1411, probably as a result of the 'hurling in Eastcheap' on Midsummer Day in the previous year, when the King's sons Thomas and John, having come to see the Watch, after supper were involved in a fray with the citizens.[2] Pageantry and merrymaking were always dear to the medieval townsman. Adam Usk tells us how after the capture of Rouen there were processions of triumph throughout London with dancing in the streets. More memorable were the great pageants on such occasions as the triumphal return of Henry V after Agincourt and the home-coming of his son in 1431.

Though much has of necessity been left untold, there will have been enough to illustrate how for London the fifteenth century was on the whole a time of abiding prosperity on which the political turmoil had no lasting effect. If the material expansion of the City will not bear comparison with that which came in the age of Elizabeth, we can sympathize with Stow in his lamentation over the filthy tenements which in his day pestered the suburbs, and the loss which London had suffered through the wanton destruction of so many of its most beautiful ornaments. At the end of the fifteenth century medieval

[1] *Letter-Book*, L, p. 103; a similar order had been issued in 1410 but not till after Midsummer Day; *ib.*, p. 86.

[2] This incident probably furnished part of the basis for the Legend of Henry of Monmouth and the Chief Justice.

London was at the height of its glory. To William Dunbar it was the flower of all cities, the seemliest in sight, a paradise of pleasure that held the throne of beauty.[1] If inwardly London was then neither white nor clean, from the Surrey side it can never have looked more fair than when its ancient coronal of spires and towers stood up unblemished against the green hills beyond.

[1] ap. *Chronicles of London*, pp. 253–5.

VI

THE POLICY AND FALL OF SUFFOLK

The Policy and Fall of Suffolk stands somewhat apart from those subjects which have been treated previously. But putting on one side the interest which attaches to Suffolk's own career and personality, his downfall was not only the turning-point of fifteenth-century politics but also furnished the base upon which the edifice of Yorkist calumny and Tudor misrepresentation was to be raised. Moreover we have in William de la Pole one of the finest types of the old chivalry that was passing away, and also through his intellectual sympathies a forerunner of the new order. He is perhaps at once the most tragic and the most pathetic figure in the history of fifteenth-century England. Tragic both in the greatness of his rise and the swiftness of his downfall. Pathetic in that a man of lofty sentiment and principle should have been made the subject for the foulest and most persistent slander. Amid all the falls of princes there is none more striking than this spectacle of

> A brave man struggling with the storms of fate
> And greatly falling with a falling state.

The tragedy of Suffolk is only the central act of a larger drama. His great-grandfather and namesake, the Hull merchant, had risen to be the trusted financial adviser of Edward III; his grandfather became Earl of Suffolk as the ill-starred minister of Richard II; his grandsons, as the last scions of the White Rose, were driven into exile and death by Henry VIII. In five generations the Poles had passed from the counting-house to the steps of the throne and had experienced every vicissitude of fortune.

William de la Pole was born in 1396 and as a boy of nineteen had his first experience of war at Harfleur. His father died during the siege, and he himself fell sick and returned home. His elder brother went on to fight at Agincourt, where besides the Duke of York he was the only noble amongst the English slain. In 1417 the young Earl of Suffolk went again to France, and in the following year served under his future rival, Humphrey of Gloucester, at Cherbourg and Rouen. Commands in the field fell naturally to a man of his rank, but Suffolk acquitted himself with distinction, and won the confidence both of Henry V and of the Regent Bedford. From 1423 onwards he was, next to the Earl of Salisbury, the foremost captain on the English side. With Salisbury he shared in the victory of Crevant, and next year held high command at Verneuil. After Salisbury had been killed before Orleans, Suffolk was appointed to the chief command. Under his direction the siege prospered so well that in February 1429 both the city and the French cause seemed to be doomed. The coming of the Maid changed the whole aspect of affairs, and Suffolk was forced to raise the siege. Somewhat unwisely he split up his army to garrison places held by the English. He was himself besieged at Jargeau, which town on 12th June was carried by assault. Suffolk, fighting in the rearguard as the English retreated, was hotly assailed by a young French squire. 'Are you of gentle birth?' he asked him, and when the squire answered 'Yes!' 'Are you a knight?' 'No!' replied the squire. 'Then receive knighthood at my hand.' And so after he had dubbed his enemy the Earl yielded himself prisoner.[1] Another ill-credited tale makes Suffolk declare that he would yield only to Jeanne herself as the bravest woman on earth.[2] Whatever the truth of these stories may be, they prove at all events the reputation in which Suffolk was held as the embodiment of knightly chivalry.

[1] Cousinot, *Gestes des Nobles*, 302.

[2] Quicherat, *Procès de Jeanne d'Arc*, vol. iv, p. 29.

Twenty years after Suffolk made answer to his enemies that he had yielded only as a knight should do.[1]

Suffolk had with him at Jargeau two of his brothers; of whom one, Alexander, was killed, and the other, John, was taken prisoner. The Poles were well-entreated by the French commander, Jean de Dunois, the bastard brother of that Charles of Orleans who had been taken prisoner at Agincourt and was still a captive in England. Suffolk himself after a short time obtained his freedom at the price of a ransom of £20,000,[2] whilst John de la Pole was later released on parole under a promise to give his friendly services to his captor.[3]

During 1430 Suffolk was in command in the Côtentin, and was also present at the siege of Compiègne. But early in the following year he went home, and with this, except for a brief interval, his active participation in the war came to an end.[4] Thus much of Suffolk's early career has been necessary to show that he was a soldier of proved capacity, who, when he came to deal with questions of politics, must have done so with a full knowledge of the risks and possibilities that were to be encountered in France. Moreover, the friendly relations that he had established with Dunois are not without a bearing on his future.

About the time of his return to England, Suffolk married the widow of his old comrade in arms, the Earl of Salisbury. The Countess was daughter of Thomas Chaucer, a wealthy squire of Ewelme in Oxfordshire, who

[1] *Rolls of Parliament*, v. 176.

[2] *Chron. Mont St. Michel*, i. 156 *n.*; *Rolls of Parliament*, v. 176; Napier, *Swyncombe and Ewelme*, p. 317.

[3] G. Dupont-Ferrier, *Jean d'Orleans*, ap. *Bibliothèque de la Faculté des Lettres de Paris*, iii. 61, 62.

[4] Suffolk himself stated in 1450 that he continually abode in the war seventeen years without coming home or seeing of this land (*Rolls of Parliament*, v. 176). Clearly in this, as in his statement that it was then fifteen years since his return, his memory played him false. He seems to have been home some months previously to Nov. 1431 (Napier, *Swyncombe and Ewelme*, p. 51).

had been speaker of the House of Commons, and was son of the poet.[1] Suffolk's wife was thus related in blood to the Beauforts, and it was with the Beauforts that his political career during the next nineteen years was to be most closely associated. It is possible that his return home may have been due to the desire of Bedford to strengthen the party of his own supporters in England, and on 30th November 1431 Suffolk was formally admitted to the Council.[2] Humphrey of Gloucester, however, in the absence of Cardinal Beaufort, could control affairs to his own liking, and early in 1432 he displaced Archbishop Kemp, the chancellor, and others of the chief ministers, to make room for his own supporters. That Suffolk was on the other side is shown by the appearance of his name amongst the lords who were warned not to bring more than their usual retinues to the Parliament which had been summoned to meet in May.[3] Gloucester's action brought the Cardinal back to England. Though Beaufort had for the time to acquiesce in a compromise as regards himself, it may have been due to his influence that on 21st July Suffolk was given the custody of the captive Duke of Orleans.[4]

The conclusion of peace and his own consequent release had become for Charles of Orleans the chief object of his desires. Suffolk on his part may have been inclined in the same direction by his experience of the war in France. Any opinion which he had thus formed is likely to have been confirmed by his friendly association with his prisoner. Certainly a year later he was convinced that a termination of the war was both feasible and expedient. The fact is important as showing that in his peace policy Suffolk was consistent throughout. In 1433 Hugh de Lannoy came to England at the head of

[1] It is almost certain that Thomas was son of Geoffrey Chaucer by Philippa Roet, who was sister of Catherine Swynford, the mother of Cardinal Beaufort and his brothers.

[2] Nicolas, *Proceedings and Ordinances of the Privy Council*, iv. 108.

[3] *Ib.* iv. 113.

[4] *Ib.* iv. 124.

an embassy from Philip of Burgundy to impress upon the English government the desirability of an early peace. Whilst in London they went one evening to sup with Suffolk at his hostel in Lombard Street.[1] In the course of conversation Charles of Orleans lamented his long captivity. Hugh replied that if he would work for a general peace he need not much longer have cause for complaint. Charles, turning to his host, appealed to him as one who knew well how he had laboured in that cause. When Lannoy reaffirmed his master's desire for peace, Suffolk reminded Orleans of how he had always assured him of Burgundy's good disposition, and added subsequently that the English King was well inclined to make use of the services of Orleans in promoting peace. On taking leave of Lannoy, Suffolk bade him 'tell my lord of Burgundy I have greater hope of a general peace than ever I had before'.[2]

In this expression of opinion Suffolk perhaps went somewhat farther than the policy of the English government justified him to do. The abortive negotiations of Cardinal Albergati in France during the two previous years had shown that neither Bedford nor Beaufort were yet prepared for such concessions as would make peace possible. But in spite of themselves, other events than the continued ill-success of the English arms in France had combined to force them towards a change of policy. Bedford had shown extraordinary skill in maintaining the diplomatic policy created by Henry V, in spite of the conflicting interests of his two chief allies, the Emperor Sigismund and Philip of Burgundy. A cardinal point in that policy was the preservation of friendly relations between England and the Papacy. Thus when the Council met at Basle Bedford found himself compelled to support Eugenius IV, whilst his allies for different reasons favoured the Council against the Pope. One consequence was that no English representatives attended

[1] Afterwards known as the Pope's Head.

[2] Stevenson, *Wars of the English in France*, ii. 218–40 (Rolls Series).

the early meetings at Basle, and when they came lacked authoritative influence. The weakness of England was the opportunity of her enemies, and no effective opposition could be offered to the intrigues which led ultimately to the combined intervention of Pope and Council in favour of peace under conditions antagonistic to English interests.[1] Thus a variety of causes, which began with the selfish schemes of Humphrey of Gloucester in Hainault but extended gradually to wider questions of international policy, tended to draw Philip of Burgundy away from the English alliance. The death in 1432 of the Duchess of Bedford, who was Burgundy's sister, and the subsequent marriage of Bedford to Jacquetta of Luxembourg, only marked the imminence of a breach which was already inevitable.

The chief reason that recalled Bedford to England in the summer of 1433 was the mischievous course pursued by Gloucester and his adherents. The reassertion of Bedford's authority was followed by changes in the ministry, and in July Suffolk became Steward of the Household.[2] It was easier to put a check on Gloucester's domestic activities than to find a solution for the greater problem of foreign policy. Though the state of affairs in France was to Bedford full great heaviness, he was still unconverted to the immediate necessity for peace. Nevertheless before his departure in November 1434 he had to give his assent to the discussion of the question of peace by the English representatives at Basle.[3] He was already moving in the direction of the policy of which Suffolk was to become the leading exponent. Gloucester on his side showed the reckless advocacy of a warlike policy which he pursued to the end; in April 1434 he had made an ill-considered proposal for the conduct of the war, which the Council rejected as something which might have been of great avail if only it had been possible to be put in execution. In this decision

[1] See Zellfelder, *England und das Basler Konzil.*

[2] Nicolas, *Proceedings, &c.*, iv. 200. [3] *Ib.* iv. 257; *Foedera*, x. 589, 595.

they were supported by the advice of those who like Suffolk had most experience in the war.[1] For the first time Gloucester and Suffolk came in direct conflict on a question of policy.

Suffolk during 1434 had been employed as an intermediary in negotiations with the French lords in England, and it was natural that when the discussions at Basle led to the Conference at Arras in the following year Suffolk should have been one of the English representatives. At Arras neither side were prepared to make the needful concessions, and after a month of fruitless discussion the Conference broke up without result.

It was easy for Gascoigne twenty years after to lament the folly which rejected the terms offered at Arras, but as a matter of fact they did not differ essentially from those which in the same paragraph he so bitterly censured Suffolk for accepting at a later date.[2] Had the English representatives accepted them at Arras, they would beyond doubt have encountered a like storm of abuse in England. John of Bedford died within a few days of the break-up of the Conference, and immediately afterwards Philip of Burgundy made terms with the French King. The combined result of these events in England was to throw the weight of authority once more into the hands of Humphrey of Gloucester. For the time all parties were united in the active prosecution of the war. Suffolk served under York in Normandy and at the defence of Calais in 1436, and was employed on various commissions at home; but the custody of Charles of Orleans was taken from him,[3] and apart from his position as a councillor during the next few years he had no share in the

[1] Nicolas, *Proceedings, &c.*, iv. 210–16.

[2] *Loci e Libro Veritatum*, p. 219. Gascoigne alleges that the English could have had peace 'cum magna summa annuali'; but that was not so. The final French offer was the whole of Normandy, in return for the renunciation of the crown, the hand of a French princess without dowry and the liberation of Charles of Orleans; Stevenson, I. i. 56–64.

[3] In May 1436. He was succeeded by Reginald Cobham, who was Gloucester's father-in-law; *Foedera*, x. 658.

direction of affairs. When the successes of the English arms in 1436 were followed by no further progress, the old division of parties revived. By 1438 Beaufort had come to realize the wisdom of peace, at all events if it could be combined with a renewal of the Burgundian alliance. Suffolk no doubt supported him in the Council. But Suffolk, though he had maintained his friendly relations with Jean de Dunois,[1] was not openly employed in the negotiations for peace at Oye in 1439 nor in the agreement for the release of Orleans in the following year. Gloucester resisted all movements towards peace as stubbornly as ever; his influence made the negotiations of 1439 abortive, and he protested against the release of Orleans. From that time the breach between the two parties was complete; Beaufort and his supporters moved steadily towards peace, whilst Gloucester used all means to foster the popular dislike for their policy. Humphrey must bear the blame for having 'helped to substitute in the mind of the nation, for the wholesome desire for peace which had been gradually growing, a vicious, sturdy and unintelligent hatred to the men who were seeking peace.'[2] It was this unreasoning prejudice rather than the policy against which it was directed that became the source of future evil.

Suffolk was one of the commissioners to inquire into the charge of sorcery against Gloucester's wife, Eleanor Cobham, in 1441. That does not, however, prove that the proceedings had a political motive; but whether Gloucester's opponents intended to strike at him through his wife or not, the incident certainly tended to the Duke's discredit. At all events from this time forward Humphrey stood aloof from government. Beaufort, who was past seventy years of age, also withdrew gradually from an active share in politics, and the headship of the peace party fell to Suffolk. One of the first acts in which Suffolk took the lead was the appointment in April 1443 of John Beaufort to the command in Guienne. This

[1] Cf. De Beaucourt, *Hist. de Charles VII*, iii. 92. [2] Stubbs.

involved some restriction on the authority of Richard of York as the King's lieutenant in France. A letter of explanation sent to York emphasized the need for the most cruel and mortal war possible.[1] Suffolk as an old soldier understood that whilst war continued it must be waged with vigour. But it was not long before his peace policy began to take shape.

An immediate question for the English government was the marriage of the young King. In 1442 there had been a project for a match with a daughter of the Count of Armagnac, and an embassy was sent for that purpose to Guienne under Thomas Bekynton. This proposal, though approved by the whole Council, was specially favoured by Gloucester;[2] Suffolk appears in the first instance to have supported it,[3] but according to one not very trustworthy authority it was by his means that it was ultimately broken off.[4] The real difficulty appears to have arisen in Guienne and not in England. Suffolk was, however, certainly the chief supporter of the alternative proposal for a marriage with Margaret of Anjou. The first suggestion for this match, as for the previous one, came from Charles of Orleans.

The marriage with Margaret was already under consideration in the autumn of 1443, when it was understood that Suffolk would shortly be sent to France to treat for peace.[5] On 11th February 1444 Suffolk, with whom were associated Adam Moleyns and Sir Robert Roos, was formally authorized to conclude a peace or at least a truce, in the negotiation of which he was to have the assistance of Orleans as a mediator.[6] Suffolk did not

[1] Nicolas, *Proceedings*, v. 258–64.

[2] *Correspondence of T. Bekynton*, ii. 177–248.

[3] Cf. *Letters of Margaret of Anjou*, pp. 77–9.

[4] *Brut*, ed. Brie, p. 511. This is the version known as 'Caxton's Chronicles', which was Yorkist in sympathy: the writer's object was to emphasize his censure of the eventual marriage to Margaret of Anjou. His statement was adopted by Fabyan, p. 616, and Hall, p. 204.

[5] Nicolas, *Proceedings*, vi. 11.

[6] *Foedera*, xi. 49, 53, 60, 62. Moleyns was Keeper of the Privy Seal.

accept the mission without misgiving. At a meeting of the Council on 1st February he represented that he had had great knowledge amongst the King's adversaries of France when a prisoner there,[1] and had long conversation with the Duke of Orleans at such time as he was his keeper. For these reasons he thought it inexpedient that he should be sent on the embassy, the more so since his name had been specially suggested by the French. He was informed that since his proposed going had been publicly known, such considerations had caused him to be unfavourably spoken of in London. He remembered also how those who had laboured with wisdom and prudence in previous embassies had nevertheless been noised against both in Parliament and elsewhere full heavily.[2] On these grounds he begged that he might be excused. The Chancellor at the desire of all the lords made answer that the King willed him to go. Thereon Suffolk submitted, asking only that if he did not achieve the matter in such wise as was desired and he trusted to do, 'that no charge be laid upon him and that he might not therefore run into any danger or heaviness'. On this the King with the advice of the Lords gave answer accordingly.[3]

Since Gloucester was present at this Council, he must be assumed to have at least acquiesced in what is expressly stated to have been concluded by all the lords. Suffolk's protestation shows that he himself was under no misapprehension as to the difficulties of the task before him and the nature of the risks which he might personally

Ros had served in Bekynton's mission in 1442–3 and was a friend of Gloucester.

[1] Cf. Suffolk's statement to Jean d'Angoulême in 1445 that he had gladly furthered his release for the sake of his friendship with Charles of Orleans and for love of the Comte de Dunois 'duquel il avoit esté prisonnier, et pour le plaisoir qu'il avoit fait lui estant en ses mains;' Beaucourt, iv. 100 *n.*

[2] No doubt in allusion to Gloucester's attack on Beaufort after the failure of the negotiations at Oye and the release of Orleans.

[3] Nicolas, *Proceedings*, vi. 32–5. Suffolk received a formal indemnity on 20 Feb., exonerating him from all blame for what he might do in the matter of the peace or marriage; *Foedera*, xi. 53.

incur, whatever the result of the negotiations should be. His attitude on this occasion makes it impossible to argue that in his foreign policy he was actuated by any motive of self-interest.

Suffolk and his colleagues landed at Harfleur on 13th March and a month later joined Charles of Orleans at Blois. Together they went down the Loire to the neighbourhood of Tours, and on 17th April were presented to the French King at the Chateau of Montils-les-Tours. The negotiations were interspersed with brilliant fêtes, and on 4th May Margaret arrived to charm Suffolk with her youthful grace.[1] In the more serious business of the peace, difficulties soon appeared. Suffolk a year later stated that at Tours he informed the French of his instructions, which were to claim, irrespective of the question of the crown, Guienne, Normandy, &c., and that as for other offers by the French he made no answer at that time, because they were not serious and he considered them of no value.[2] It is possible that the French offers may have raised some question as to Maine.[3] If so, it is clear that Suffolk refused to take it up. Probably both parties avoided tacitly the more difficult issues,[4] and when they realized that agreement on the greater question of peace was impossible, fell back on the simpler alternative of the marriage accompanied by a truce for two years.[5] Margaret was formally betrothed on 24th May, and in the subsequent festivities was treated with all the honours due to a queen. Four days later the truce was signed, and on the next morning Suffolk started for home.

Though the agreement at Tours left the most difficult

[1] Digby MS. 196, f. 155.

[2] Stevenson, i. 132–3; the original is 'que de ces autres cuffres lors ny respondit riens, pour ce quelles nont quelque apparence, et que tout ce qui y est ne veult riens'. The meaning is a little obscure: I follow the interpretation given by De Beaucourt, iv. 158.

[3] Cf. Beaucourt, iv. 283 *n.*

[4] Suffolk's use of 'Normandie &c.' is significant.

[5] Monstrelet, vi. 97.

problem unsolved, its conclusion was received with universal joy both in France and England. Suffolk's journey home was one long procession of triumph; at Rouen he was greeted with rapturous shouts of 'Noel! Noel!' and in London, where he arrived on 27th June, the news was not less welcome. The treaty was at once ratified, and shortly after Suffolk was made a marquess. His success was further marked by the grant, made to him in his absence and without payment, of the wardship of Margaret Beaufort, the infant daughter of John, Duke of Somerset, who had lately died.

Various difficulties occurred to delay the actual marriage, and it was only on 13th November that Suffolk, accompanied by his wife and a numerous train of ladies, started on a fresh mission to bring Margaret over to England. Charles VII was at Nancy, and when the English ambassadors arrived fresh delays intervened. The French King and René of Anjou, Margaret's father, were intent on their warfare in Lorraine,[1] whilst Margaret herself was not present. The consequent delay has given colour to a belief that new difficulties were created deliberately, and that Suffolk, under threat of refusal to let Margaret go, was forced for fear of a failure of the marriage to accept a proposal for the surrender of the towns and places which the English held in Maine. In its most circumstantial form this suggestion appears only in a thrice-repeated story by Thomas Gascoigne.[2] Professor Tout has I think rightly stigmatized it as mere gossip, adding that there is not a scrap of evidence that Suffolk made even a verbal promise or that anything treacherous was contemplated.[3] The French historian De Beaucourt rejects the story as decisively.[4] Sir James Ramsay thought that Gascoigne's facts seemed to bear

[1] The French ambassadors in June 1446 made 'la maniere de l'occupation du Roy et de son frere de Secille' the excuse for the delay; Stevenson, i. 119.

[2] *Loci e Libro Veritatum*, pp. 190, 204–5, 219.

[3] *D.N.B.* xxxvi. 140.

[4] *Histoire de Charles VII*, iv. 167.

investigation,[1] but apart from the approximately correct statement that Suffolk was in France seventeen weeks there is nothing definite beyond the main allegation; when Gascoigne writes that 'thus under the King of England's letters patent, as it is said, Anjou was alienated from the said King' he clearly did so only through some vague knowledge of the letter of 22nd December 1445 in which Henry himself promised under different circumstances the surrender of Maine. Though the allegation that Suffolk had exceeded his instructions and promised the surrender of Maine formed one of the charges against him in 1450,[2] and was adopted by Yorkist chroniclers, it is by Gascoigne alone that it is made with any precision of detail, and assigned definitely to this occasion. For the detail thus supplied by a prejudiced writer there is no corroboration.

Margaret came to Nancy early in February 1445, and a month later was married, Suffolk acting as proxy as he had done at the betrothal. It was not, however, till 9th April that she landed at Portsmouth. When on 28th May, with her golden hair hanging down her back, she entered London riding in a horse litter, the citizens welcomed her with a splendid pageant.[3]

For the moment Suffolk's triumph was complete, and no voice was raised against the policy which began so auspiciously. In Parliament on 2nd June he made his report on his mission: ambassadors were to come at once from France to treat for a permanent peace to take the place of the truce, which would expire on 1st April 1446; nevertheless he had thought it expedient whilst in Normandy to advise with the Duke of York for the provision and stuffing of all towns and fortresses of the King's obedience; this he had done as a matter of prudence and in the belief that when it was publicly

[1] *Lancaster and York*, ii. 62. The only definite support for Gascoigne's story is a statement in the *Chronicle* of Berry, king-at-arms, ap. Godefroy, *Charles VII*, p. 430.

[2] *Rolls of Parliament*, vi. 177.

[3] *Brut*, p. 511.

known it would prove to be a great mean to the better conclusion of peace; during his mission he had neither uttered nor communed particularly of any matters concerning the treaty, nor of what manner of thing the same treaty should be, but had referred all for decision by the King when the French ambassadors arrived.[1]

This frank and spontaneous declaration should be proof of itself that up to this point Suffolk had not in any wise committed the English government. Gascoigne's vague repetition of gossip ten years later can have no weight against it. The Commons two days afterwards by their Speaker commended the right, great, and notable work which Suffolk had done, as well for the conservation of peace and the repressing of all manner of riots and extortions within the realm, and for his wisdom and discretion in the negotiation of the truce and marriage, whereby the joy of the realm was most notably complete. They therefore prayed that the King would take him to his good and benign grace and favour. Then 'my lord of Gloucester and many other lords spiritual and temporal arose of their seats and besought humbly the King of the same'.[2] There is no reason to suspect Gloucester any more than Suffolk of duplicity on this occasion. How fully for the time all parties concurred in the policy is shown by the fact that Richard of York was himself desirous to obtain a French princess as a bride for his son, and had employed Suffolk to open negotiations on his behalf.[3] The accord at this time between Richard and Suffolk was personal as well as political.

On 14th July the French ambassadors reached London, where the people greeted them with every appearance of joy. On the following day they were received by the King in audience. When they spoke of the affection which his uncle of France had for him, Henry looked towards Gloucester who was on his left, and then turned

[1] *Rolls of Parliament*, v. 73, 74.
[2] *Id. ib.*
[3] De Beaucourt, iv. 143.

with a smile to the Chancellor, Suffolk and York, who were on the other side. Afterwards the ambassadors were told that he said to the Chancellor : ' I am very glad that some who are present should hear these words ; they are not at their ease.' [1] It is not difficult to read too much into this remark, though it shows the variance which already existed between Gloucester and his nephew. From Henry's lips the words must have come in all simplicity. No one could have supposed that Gloucester would have listened at ease to such a public avowal of what he had so long resisted.

When the serious negotiations began, the French made long protestation of their master's earnest desire for peace ; but instead of putting forward their terms endeavoured to raise a debate as to what had taken place at Tours.[2] Suffolk at last cut the discussion short, as futile ; let us proceed, he said, frankly, and let each side state plainly to what they can consent. The French continued to fence with the question, until when it was clear that no conclusion was possible, both parties agreed to a simple extension of the truce to give further time for negotiation by the two kings in person.[3] The outstanding feature in the debates was the commanding position held by Suffolk, whom the French ambassadors regarded plainly as the most influential person on the English side. Suffolk on his part spoke frankly of his desire for peace. At the start he had said aloud, so that all might hear him, that he wished every one to know that he was the servant of the King of France, and, save for the King his master, would serve him against all the world.[4] On another occasion he referred to a report that whilst he was in France Gloucester had made obstacles, and said that he did not believe that Gloucester would have done so, who moreover if he had the will had not the power.[5] But in

[1] Stevenson, i. 110–11.

[2] Probably it was intended to bring up the question of Maine, which Suffolk would not discuss at Tours.

[3] Stevenson, i. 115–48. [4] *Ib.* 116. [5] *Ib.* 123.

spite of his conciliatory attitude it is equally clear that Suffolk was determined not to be manœuvred into any premature concession.

Immediately after the London conference Adam Moleyns, now Bishop of Chichester, was sent to France to conclude the agreement for an extension of the truce. A French account alleges that some verbal promise had been given in London for the delivery of Maine before 1st October, and that Moleyns had authority to act; but that though he did nothing thereon he engaged the King to send a fresh embassy, saying that the thing would not fail to be done.[1] It is possible that it was with reference to this occasion that Suffolk found cause to censure Moleyns,[2] who had perhaps gone beyond his instructions. Over the proposed extension of the truce there was no difficulty, though Moleyns thought the time granted too short.

It was ostensibly to negotiate a further extension that in October fresh ambassadors came to England. But that was not their chief purpose. So far, as De Beaucourt[3] observes, the French had obtained only good words, now they desired a more definite pledge. To secure it they had resort to subtle means. The ambassadors brought with them a letter to Henry VI from René of Anjou. In this letter René explained his hope that 'his very dear son' would agree to deliver to him the county of Maine, whereby a good way might be opened for the conclusion of peace. For this purpose it was intended apparently to work through Queen Margaret, to whom also the ambassadors brought a letter from Charles VII desiring the delivery of Maine. It would be absurd to suppose that Margaret as a girl of sixteen had any full understanding of the real purport of what was proposed; but it was natural that her father and uncle should be able to work upon her feelings to use her influence with her husband.

[1] Beaucourt, iv. 284 *n.*: 'disant qu'il n'y auroit point de faulte que la chose ne se feist.' [2] *Rolls of Parliament*, v. 182. See p. 169 below.
[3] *Hist de Charles VII*, iv. 163.

In the result Margaret wrote to Charles on 17th December that in what he desired she would do the best that she could and that the King himself would write at more length.[1] A few days later, on 22nd December, Henry wrote announcing his readiness to agree to the surrender of all that the English held in Maine, both as the best means to a peace and as a favour to his Queen who had ofttimes desired it of him.[2] Thus was the fatal concession first definitely granted through the guilelessness of the young King and Queen nearly a twelvemonth after the date when it is alleged that it was wrung from an unwary diplomatist.[3]

What exact part Henry's ministers had in this negotiation we cannot tell. The only formal record of what passed is given in a document dated 19th December in which the truce was prolonged till 1st April 1447 and provision made for the proposed conference between the two Kings.[4] It is, however, at least plausible to suggest that the prolonged delay in the promised surrender of Maine was due in part to the reluctance with which Suffolk fulfilled an agreement which his loyalty to his master had led him to accept against his own judgement. It seems clear from the instructions given to Richard of York in 1443 and from Suffolk's statement in Parliament on 2nd June 1445 that his own policy throughout was to maintain the English military strength in France as the only sure basis on which to negotiate for peace. With that policy the premature surrender of Maine was incompatible, and it is difficult to believe that Suffolk, who had skilfully shelved the question both at Tours and in London, should have agreed without reluctance to a concession which, as the event showed, meant disaster to his own plans. The endeavour to reconcile two conflicting policies may perhaps furnish a clue to the

[1] Stevenson, i. 164. [2] *Ib.* ii. 639–42.

[3] Ramsay, ii. 63; the same writer on p. 70 points out there is no allusion in the letter of 22 Dec. to any promise given by Suffolk; but in other respects his whole account of the negotiations of 1445 (on pp. 67–70) is meagre and biased. [4] *Foedera*, xi. 106–14.

dilatory proceedings of the English representatives in France during the next two years.

In England, Suffolk's authority was now supreme. Chastellain describes him as like a second king, holding both French and English in leash,[1] and the main direction of all affairs was in his hands. The young King looked to him alone for guidance, and Margaret, as was natural, identified herself with the party of her first English friends. Henry is said to have begun to nourish a grudge against Gloucester, and was led to believe that his uncle compassed his death with a view to his own succession.[2] Henry had never been friendly with Gloucester, and Margaret's influence strengthened no doubt his old feelings of dislike. To that extent Margaret was a collaborator in Suffolk's policy. But the traditional view that she had a leading share in its shaping is neither probable in itself nor verified by contemporary authority.[3] It was obvious that Gloucester's covert hostility must be an obstacle to the realization of the policy of peace. To find some means whereby to deprive him of the power to oppose it actively became of necessity one of Suffolk's objects. But though some slights were put upon Gloucester, no open steps to that end were taken till the close of 1446. Parliament was then summoned to meet at Bury St. Edmunds, 'a place where Suffolk was strong and Gloucester would be far away from his friends the Londoners'.[4] A large armed force was assembled in the neighbourhood, and it was possibly known that definite action was to be taken against Gloucester in Parliament. The Duke arrived at Bury on 18th February with about eighty horsemen.[5] The same evening he was put under arrest, and five days later he died.

[1] *Oeuvres*, vii. 44; 'menant François et Anglois à deux mains en coupple.'

[2] *Chron. Giles*, p. 33; Whethamstede, *Registrum*, i. 179; Basin, i. 187, 190; Escouchy, i. 115.

[3] Professor Tout ap. *D.N.B.* xxxvi. 141. [4] Stubbs, iii. 140.

[5] Ramsay (ii. 74) describes it as 'an uncalled for retinue'; but the number does not seem excessive.

It is not likely that the true story of Humphrey's death will ever be cleared up, but most probably it was due to natural causes accelerated by the shock of his arrest. This seems to be the definite opinion of his friend Abbot Whethamstead of St. Alban's, who states 'that he was kept in such strait custody that for very sorrow he fell sick and died'.[1] So also Hardyng,[2] writing in the Yorkist interest:

> Where in parlessey [3] he dyed incontinent
> For hevynesse and losse of regiment;
> And ofte afore he was in that sykenesse
> In point of death.

The earliest definite statement to the contrary seems to be the incorrect allegation in *Gregory's Chronicle* [4] that 'the dethe of that nobylle prynce the Duke of Gloucester' was one of the grounds on which Suffolk was impeached.[5] Later on more specific allegations of murder appear,[6] but the Yorkist author of *Davies Chronicle*, writing probably after 1461, does not venture further than 'the certaynte of his deth is not yit openly known'. There must we still leave it. Though the uncertainty makes it impossible to clear Suffolk wholly, there is nothing in Suffolk's character that would give the least probability to a charge that he had deliberately compassed the Duke's death.[7]

If Suffolk must be held innocent of any direct guilt for Gloucester's death, there can be no question that thereby he was freed from the chief opponent of his policy. Yet had he intended violence it is likely that he would have struck at others as well. That the opposition still

[1] *Registrum*, i. 179.
[2] *Chronicle*, p. 400.
[3] i. e. palsy, or an apoplectic stroke.
[4] p. 189.
[5] See p. 171 below. The allegation was incorrect.
[6] Cf. *Brut*, p. 513, *Chronicles of London*, p. 157 (both Yorkist compilations); M. d'Escouchy, i. 118; T. Basin, i. 190. Chastellain in *Le Temple de Bocace* (*Oeuvres*, vii. 87), though writing for the consolation of Margaret of Anjou, adopts the story of murder; he cannot have believed that Margaret herself was (as some have suggested) implicated.
[7] See Stubbs, *Const. Hist.*, iii. 141–3, for a judicial summing-up.

continued in other quarters seems to be shown by the solemn declaration made in Council on 25th May 1447, acquitting Suffolk of all guilt in respect of charges made against him touching the surrender of Anjou and Maine;[1] Richard of York was present on this occasion and no protest from him is recorded. Richard, however, took Gloucester's place as the leader of the war party, and it was perhaps due to Suffolk that Edmund Beaufort was made lieutenant in France and Richard sent into honourable banishment by his appointment to be lieutenant in Ireland.[2] The summit of Suffolk's power was marked by his promotion to a dukedom in July 1448.

During the whole of 1446 and 1447 the negotiations in France for the surrender of Maine dragged on. The truce was from time to time extended, but nothing effective was done. At last in July 1447 Jean de Dunois came to London and obtained a confirmation of the surrender to take place before 1st November. But the English captains in Maine, supported perhaps by Edmund Beaufort, found excuses why they should not comply with the orders sent. It was not till 16th March 1448, when the French appeared in arms before the town, that Le Mans was at last surrendered. Even then Matthew Gough, the commander, and the other English captains did not yield without a protestation that the surrender was made only for the securing of a better peace, and that it was not intended to be a transfer of their King's right or sovereignty.[3]

There had been difficulties over alleged infractions of the truce in the previous year, and the force used by the French before Le Mans did not help the prospect of a permanent peace. A further cause for trouble arose when the garrisons evacuated from Maine seized St. James de Beuvron and other fortresses on the border of Brittany. The consequent dispute was still unsettled when on

[1] *Foedera*, xi. 172–4.

[2] Waurin, i. 300; see also Whethamstead, *Registrum*, i. 160, and *Chron. Giles*, p. 35.

[3] *Foedera*, xi. 204–6.

24th March 1449 an English force under François de Surienne took and sacked the town of Fougères. Surienne alleged that both Edmund Beaufort and Suffolk had been privy to the enterprise, and approved it when accomplished.[1] The statement is so circumstantial that it is difficult to acquit Suffolk of all complicity, though his original consent may have been given at a time when affairs were less critical. But at this moment such an act of open war was disastrous. The French at once took the matter up and made reprisals. No means of agreement could be found, and at the end of July war was formally declared. One disaster followed quick on another, till the fall of Rouen on 29th October sounded the death-knell of the English dominion in Normandy.

The news of the loss of Rouen was received with wrath and consternation in England. It was upon Suffolk that the storm fell. Of his colleagues, Marmaduke Lumley, the Bishop of Carlisle, had resigned the treasurership in October, and Moleyns was forced to give up the privy seal in December. The loss of two of his principal supporters marked the decline of his own power. Parliament had met on 6th November, but at first no public action was taken against Suffolk. Nevertheless his enemies gathered strength. On 26th November Ralph, Lord Cromwell, who had been his chief opponent in the Council, was hustled in Westminster Hall by William Tailboys, a supporter of Suffolk. Cromwell accused Tailboys and Suffolk of intending his death. They both denied the charge, but Tailboys was sent to the Tower and the incident was afterwards made one of the charges against Suffolk, which according to William of Worcester were instigated by the secret machinations of Cromwell.[2] Another event of ill-omen was the murder by the sailors at Portsmouth on 9th January of Adam Moleyns, who before his death is alleged to have made some confession injurious to his late colleague.

[1] Stevenson, i. 278–98 ; see also Basin, iv. 294–300, 337.
[2] W. Worcester, pp. 766–9.

When Parliament reassembled on 23rd January 1450 Suffolk found it necessary to speak in his own defence. By reason, he said, of Moleyns' confession odious and horrible language was used on almost every lip to his most heavy dislander. He called to mind his father's and his own and his brothers' services during the wars, and his faithful service at home during the last fifteen years. Had he ever been false or untrue to his King or to the land he was born in, no punishment would be too severe. Let his accusers come forth and he would give them an answer so open and so plain that it should be sufficient for his discharge. 'God knows I am, shall be, and never was other but true to you my sovereign lord and to your land.' [1]

Three days afterwards the Commons petitioned that whereas Suffolk had confessed to the rumour and noise against him he should be committed to ward. After consultation with the judges the Lords declared that since the charge was general and nothing was in special declared he ought not to be committed. Thereupon on 28th January the Commons replied that from every part of England there came a rumour that Suffolk had conspired with the King's adversary of France to invade the land, and in proof alleged that he had fortified Wallingford Castle to be a place of succour for the French. This they claimed was special matter enough of suspicion of treason, and upon it Suffolk was then committed to the Tower.

On 7th February the Commons presented their formal indictment in eight articles. They alleged: that in July 1447 Suffolk had conspired with the French embassy for an invasion of England with the intent to make his son king, having for this purpose obtained a grant of the marriage of Margaret Beaufort; that in 1439 he had for corruption of money counselled the release of Orleans, and had stirred him to excite the French to war, through which Normandy was lost; that when ambassador in

[1] *Rolls of Parliament*, v. 174.

France he had gone beyond his instructions and without the knowledge of the other ambassadors promised the delivery of Maine, and afterwards in England had for lucre of good to him given, caused delivery to be made, thus falsely adhering to the King's enemies; that on 16th July 1447 he had revealed the privity of the King's counsel to the French ambassadors touching the safeguard of Normandy; that being privy to the King's counsel he had many times revealed the provisions for the defence of the English possessions; that by his letters and messages he had revealed the instructions given to English ambassadors, and so prevented their success, and in the Star Chamber had said openly that he had his place in the council of the French King and was as well trusted there as he was here; that at the instance of the French and for bribes he had prevented the sending of reinforcements; and finally that by his action he had alienated Brittany and Aragon and had allowed Giles of Brittany, a friend of England, to be imprisoned.[1]

The Lords thought that the Articles should be referred to the judges, but the King willed that the matter should be had in respite till he be otherwise advised. Some apparently believed this meant that Suffolk was pardoned; and so it was reported in Norfolk in March that the Duke was right well at ease and merry and in the King's good grace.[2]

However, on 7th March the Lords had decided that Suffolk should come to his answer, and on 9th March the Commons had presented a further bill of charges. They now accused Suffolk of malversation in office; of the improper grant of liberties, to the hindrance of the law and the increase of riots; of wrongful grants to his friends in England and his French supporters; of the embezzlement of money and misappropriation of subsidies; of having obtained for himself the Earldom of Pembroke and other lordships as well as the wards and marriages of heirs to the great loss of the King's revenue;

[1] *Rolls of Parliament*, v. 177–9. [2] *Paston Letters*, ii. 136.

of delays of justice, of maintenance, and of the wrongful pardon of Tailboys; of having appointed sheriffs for lucre and favour; and of having supported the Dauphin in his warfare with the German allies of England.[1]

On 13th March Suffolk made his reply before the King and Lords. As regards those charges that touched on treason, he denied them utterly; saving the King's presence he declared that he could prove them false and untrue. The first part of the first article was impossible and his accusers could not make it otherwise; as for the second part it was against law and reason to make Margaret so nigh the crown, nor had he intended her as a bride for his son. As regards Anjou and Maine he cited the Act made thereon in the Council, the other lords being as privy thereunto as he; and as for the manner of the delivery he laid the blame on Moleyns. As for what he had said in the Star Chamber, he had not used the words alleged in the form specified nor with the intent supposed. To the other charges contained in the second Bill no answer was made.

Four days later on 17th March Suffolk appeared again before the Lords, and when asked if he had anything further to say answered that the charges were too horrible to speak more of; he denied them all utterly as false and untrue and in a manner impossible; such great things could not have been done by himself alone or unless others had been privy thereto; he took his soul to perpetual damnation if ever he knew more of these matters than the child in its mother's womb. Nevertheless he submitted himself wholly to the King's governance. Thereon the Chancellor announced the decision. As regards the first Articles they were held neither charged nor declared. As regards the second Bill touching misprisions that were not criminal, the King, by his own advice without reference to the Lords, and not by way of judgement, ruled that before 1st May Suffolk should leave England and be banished for five years.[2]

[1] *Rolls of Parliament*, v. 177–81. [2] *Ib.* 182–3.

The decision thus arrived at was a compromise. The Lords, the majority of whom like the King himself were on Suffolk's side, protested that such a proceeding should not be construed as a precedent to their prejudice. But by such means alone was it possible to avoid a formal trial, the result of which, in the unreasoning temper of the Commons, was a foregone conclusion. Suffolk on his part consented, sacrificing himself to shield his master. Henry, whose loyalty to his servants was his best political quality, we may believe yielded unwillingly.

Of the charges brought against him Suffolk said well that they were in a manner impossible. From their very nature they were incapable of proof, since they supposed secret communications, and were equally difficult of disproof. They could be met only with a flat denial. Even a modern writer,[1] who takes the most unfavourable view of Suffolk's conduct, describes them as 'malignant nonsense' and 'to a large extent absurd'. Of the more specific charges, the suggestion that he had schemed to make his son king is met by Suffolk's own answer, which indicates clearly that the Beaufort claim to the succession was not then recognized. The words alleged to have been uttered in the Star Chamber may be an echo either of his protestation to the Council at the time of his first embassy in 1444 [2] or of his open declaration of his friendship for the French King in the following year.[3] In either case the words would not bear the interpretation put upon them. As for the delivery of Maine, in the light of the evidence which we now possess, it may be stated confidently that whilst in France Suffolk had made no such promise, and that if any suggestion of the kind was put forward by the French he refused to discuss it. It is equally certain that, when the concession was ultimately

[1] Oman, *Political History*, iv. 345–6.

[2] As Stubbs suggests, though that Council was held in the Privy Chamber. See p. 155 above.

[3] See p. 160 above. Stevenson, i. 116; the scene was in the King's Chamber near the Privy Chamber.

made, it was not done of Suffolk's sole motion, and doubtful whether, in its form at all events, it had his full approval. It was perhaps a tactical error to endeavour to make use of the fortresses in Maine both as a diplomatic counter and as a military bulwark. The two uses were incompatible, and the endeavour involved Suffolk in difficulties both with politicians at home and with soldiers at the front. That Suffolk had not the power to cut the knot which embarrassed him may detract from his capacity as a statesman, but cannot justify a charge of moral turpitude.

The minor charges in the second Bill were supported by little evidence. They may be summed up as a general accusation of malversation and favouritism. For the former there is no justification, and if Suffolk had promoted, naturally enough, those who favoured his policy, his two chief supporters, Marmaduke Lumley and Adam Moleyns, were certainly not unworthy. Against the allegation of delays of justice must be set the commendation by the Commons in 1445 of Suffolk's right, great, and notable work in the conservation of peace in the realm and the suppressing of riots.[1] Both the praise and the blame are more rhetorical than authoritative. It is remarkable that in the formal articles the ridiculous allegation as to Wallingford Castle, on the strength of which Suffolk had been arrested, was not repeated. It is noteworthy also that there is no suggestion that Suffolk was guilty of Gloucester's death ;[2] that, when so many impossible things were alleged, this, for which a specious case of suspicion might have been made, was not introduced must be accepted as proof of Suffolk's innocence.

Immediately after the King's decision had been given Suffolk left London. The six weeks before the appointed day were spent by him in the county from which he took his title. On the night before his departure he wrote

[1] See p. 159 above.

[2] Though in *Gregory's Chronicle*, p. 189, this is falsely alleged to have been one ground on which Suffolk was impeached. See p. 164 above.

a noble and touching letter of farewell to his little son:

> 'I beseech our Lord in heaven, the maker of all the world, to bless you and to send you ever grace to love him and to dread him. . . . Wittingly do nothing for love or dread of any earthly creature that should displease him. . . . Next him above all earthly things be true liege man in heart, in will, in thought, in deed unto our most high dread sovereign lord the King.' [1]

Of this letter Lingard wrote well that it is 'difficult to believe that the writer could have been either a false subject or a bad man'.[2] Can one without prejudice see in it anything but the unaffected statement of the principles which had inspired the writer himself throughout his public and private life?

On the morning of 1st May Suffolk set sail from Ipswich with two ships and a pinnace. When off Dover he sent the pinnace towards Calais to learn how he would be received. The pinnace was intercepted by a ship called *Nicholas of the Tower*, which with other vessels was lying in wait for him. The master of the *Nicholas* bore down on Suffolk's ships and bade the Duke come on board. On his arrival he was greeted with a shout of 'Welcome! traitor!' His captors granted him a day and a night to shrive him. Then, on 2nd May, he was drawn out into a little boat, and a knave of Ireland, one of the lewdest men in the ship, took a rusty sword and smote off his head with half a dozen strokes.[3] Suffolk's body was cast upon the sand near Dover, where it lay till the King gave order for its honourable burial with his ancestors at Wingfield.

The mystery of Suffolk's murder has never been solved. The *Nicholas of the Tower*, as the name shows, was a royal ship; but this would not have precluded its illicit employment by some person of influence. The French writer, Thomas Basin, believed that Suffolk was murdered by an English pirate.[4] Later in the year the *Nicholas*,

[1] *Paston Letters*, ii. 142–3.
[2] *Hist. England*, v. 179.
[3] *Paston Letters*, ii. 146–7.
[4] *Hist. de Charles VII*, i. 252.

under the command of John Norton, was concerned in a piratical enterprise in the company of the notorious Clays Stephen.[1] If this John Norton may be identified with the person of the same name who had been committed to prison for his share in the piracy of the *Edward* of Polruan,[2] he was perhaps released as a fit agent for unlawful violence. One authority implies that the commander of the *Nicholas* was called Robert,[3] and Sir James Ramsay suggests identification with the Devonshire seaman, Robert Winnington. Whether the commander of the *Nicholas* in May 1450 was Norton, Winnington, or another, he was no doubt an unscrupulous person, who would readily have undertaken a commission from any one who could have paid his price. The Duke of Exeter, who was Admiral and therefore in control of the *Nicholas*, was contracted to a daughter of Richard of York. It is conceivable, as some have suggested, that the murder was inspired by a political enemy. Or it may have been due simply to the same unpopularity which had been fatal to Moleyns.[4]

The murder of Suffolk robbed Henry VI of his most skilled and faithful adviser.[5] Yet more the country lost the service of the one man with whom high principle had counted for more than self-interest. His policy of peace had not been lightly undertaken. Since his return from the wars Suffolk had made no secret of his opinion, and had throughout pursued his end straightforwardly. He had never been blind to the personal risks which it involved, and for this reason alone it is absurd to suppose that he could have embarked on such a policy from any

[1] *Cal. Pat. Rolls*, Henry VI, v. 435; the *Nicholas* is there described as the ship of Henry, Duke of Exeter. For Clays Stephen see p. 92 above.

[2] See p. 95 above.

[3] W. Worcester, p. 469.

[4] Stubbs, iii. 154; Ramsay, *Lancaster and York*, ii. 121. Ramsay cites *Gregory's Chronicle*, p. 190, 'of the whyche was here Admyralle Nycholas of the Towre'; but this does not mean that it was the Admiral's (Exeter's) ship, but only that it was the leading vessel engaged.

[5] Stubbs, *Const. Hist.* iii. 154.

corrupt or unworthy motive. Only a man of consummate genius could have found a way of escape from the entanglement of the French war. That Suffolk was not, but he was loyal, honest, and laborious. Though in his relations with the French he had shown that he had the capacity to inspire confidence, at home his conviction that his policy was right may have made him too careless of creating enmity. The policy of peace was the only one possible, and is not to be condemned because it brought upon its chief advocate the disaster which he had foreseen. It was not Suffolk but his short-sighted opponents who were in truth responsible for the misfortunes which befell his country after his death.

Of Suffolk's unpopularity during the last months of his life there is sufficient proof in the ribaldry of Yorkist rhymers. That, if unreasoning, was not unnatural. But the malignity which pursued him in death passed all bounds. The charge that he was guilty of Gloucester's death had some conjectural basis of suspicion. A narrow and uninformed view might hold him primarily responsible for the surrender of Maine, and find therein the cause of all the misfortunes that ensued. These were the staple themes with chroniclers of Yorkist prejudice, and were adopted by Tudor writers who were only too ready to believe evil of any one who bore the name of Pole. Without any warrant of contemporary evidence they went on to suggest that Margaret and Suffolk were paramours, calling Suffolk the Queen's darling whom she entirely loved. The scandal began with Hall, was repeated by Holinshed and adopted in Daniel's *Civil Wars* and Drayton's *Heroical Epistles*.[1] So in the *Second Part of Henry VI* Margaret and Suffolk are avowed lovers. The suggestion is absurd, utterly unsupported by contemporary evidence, wholly contrary to all that we know of Suffolk's character and to the long and friendly intimacy which existed between Margaret and Suffolk's

[1] Baldwin in *The Mirrour for Magistrates* is vicious enough, but stops short of adultery.

wife. Hardly more acceptable is the traditional opinion which makes Margaret an active sharer in Suffolk's policy. Suffolk's age and Margaret's youth should be enough for the dismissal of both of these allegations.

Of Suffolk's personal character there is no need to write further. One intellectual quality calls for some notice. A French writer describes him as competently well instructed in letters.[1] It is natural that the husband of Chaucer's grand-daughter and the friend of Charles of Orleans should himself have been a man of literary tastes. So we need not be surprised that, like Charles, he had whiled away the hours of his captivity with poetical exercises. A number of French roundels written by Suffolk whilst a prisoner have been preserved.[2] It has also been plausibly suggested that Suffolk was the author of some anonymous English poems which appear in two manuscripts of the poems of Charles of Orleans. Of these latter one is also contained in *Fairfax MS.* 16 at the Bodleian Library. This led Dr. MacCracken to suggest that Suffolk was the author of other poems in that volume. One poem accords so well with Suffolk's career and character that we may readily believe that it was written by him after his fall in 1450 :[3]

> And as I went, I gan remembre me
> How long I had contynude my servyse
> Wyth carefull thought and gret adversyte,
> And guerdonless, lo, sych was my offyse ;
> The world ys straunge, and now yt ys the guyse
> Who that doth best aqwyte hym in hys trouthe
> Shall sunnest be forgot, and that is routhe.
>
> Thys dar I say and faythfully assure
> That wyllyngly I never dyd trespace ;
> And in thys lyfe I may noght long endure

[1] Basin, i. 189 : in litteris satis competenter institutus.

[2] In *Additional MS.* 34360, ff. 22, 23, at the British Museum and MS. R. 3, 20 at Trinity College, Cambridge.

[3] The poem begins :

> Not far fro Marche in the ende of Feverere
> Allon I went upon myn own disport.

Wythout comfort or tryst of bettir grace.
Pyte is lost,—thys ys a straunge case—
Add forthermore, sich is myn happy chaunce,
Whatever I do yt ys gret dysplesaunce.

The poem ends with a reproach to unstable Fortune, through whom he was for his truth thus entreated. Nevertheless he would abide always in his intent, hoping in God that he would yet see the day when truth should prevail.[1]

Thus may we believe that in Suffolk we have not only a fine type of knightly chivalry and a statesman of high purpose, but also a man who had the intellectual quality to appreciate the imminence of change. Had his genius been equal to his understanding, or his fortune to his merits, he might have saved England from long years of disaster. There was no one else who could.

[1] See H. W. MacCracken, *An English Friend of Charles of Orleans* ap. *Publications of the Modern Language Association of America*, xxvi. 141–80, where the poems both French and English are printed. The poem quoted is on pp. 167–8.

APPENDIX

All the documents here given come from *Early Chancery Proceedings*. Of the five cases the first relates to the attack by the French on Plymouth in May 1461. The others are the principal cases of Piracy dealt with in Lecture IV. The Procedure in the Court of Chancery began with the presentation of a Bill by the complainant. To this the defendant put in his Answer, which at an early date was not in writing. To the Answer the complainant might make a Replication to be followed by a Rejoinder from the defendant. In the case of Mayowe *v.* Gille there would seem to have been no less than five statements by the two parties. The Court would then order a Commission of Inquiry, which was held locally and reported on the evidence obtained. The finding of the Inquest, with the Letters Testimonial and Depositions of the witnesses were all brought up for the consideration of the Court, as described in the judgement on Bodulgate's case; the Judgement was endorsed on the Bill of Complaint. In the case of *The Edward* of Polruan we have further instance of the Court's action in the recognizances given by some of the persons implicated. Under the Statute of 1451 the Chancellor was in cases of piracy to call to him one or other of the two Chief Justices. In the Judgement in Bodulgate's case we find that both the Chief Justices were present. In the other three cases no final decision seems to have been reached. It rarely happens that the whole series of documents has been preserved. It is to the exceptional fulness of the record in the four cases of piracy here given that their peculiar interest is due.

I. WILLIAM CHAMPERNOUN AND HUGH ROWE

See pp. 55–58 above. From *Early Chancery Proceedings*, 29/327.

To the ryght Reuerend ffader in God, George, Bysshop of Excestre, Chaunceller of Englond.

Besecheth mekely youre humble Oratour William Champernoun, squyer, that where oon Hugh Rowe, otherwise called Hugh Chamburn, of þe counte of Deuon, squyer, late seruaunt vnto þe Erle of Deuonshire, of his cruell disposicion with other dyuers of his affynite, bicause of þe good and true hert that youre seid besecher at all tymes hath had and hath vnto the kyng and to all his trewe lordys, and bycause he was late with his good lorde the lorde Bonevyle, on Witsonday last past mette with Nicholas Jay, seruaunt of youre seid besecher, as the same Nicholas was goyng

toward þe Toun of Plymmouth to the defence of the seid Toun and þe countre theraboute ayenst the ffrensshemen and the Kynggs enemys than beyng there: and also to haue saued the goodes of youre seid besecher that he than had there: and ryottously toke from the seid Nicholas his herneys and weepen, and greuously bet hym, callyng hym Traytour and Traytours man. By the which ryott so doon vnto the seid Nicholas by the seid riottours, and the manasse and thretenyng that they than gaf hym, the seid Nicholas was than let aswele from the seruyce that he wold haue doon vnto the Kynges hyghnes in þe seid Toun ayenst þe seid enemyes, as the seruyce that he shuld haue doon to his mayster youre seid besecher in sauyng of his seid goodes: wherby the same goodes were lost and taken awey by the seid enemyes to the hurtes and harmes of youre seid besecher of cc*li.* and more in value.

Also in Thorsday in Ester Wike last past, what tyme youre seid besecher was com hom to his place of Modbury from the ffeld late holden besyde Seynt Albones, the seid Hugh of his cruell malice to thentent to destroye youre seid besecher and his men ryottously gadered and assembled with hym certeyn people of his affynyte arrayed in the fourme of werre at Yalmeton in þe seid counte, and so come to Modbury aboueseid there for to haue destroyed aswele youre seid besecher, his men and tenauntes, as his seid Place and tenementes in that Toun. And so the seid mysdoer lay w^{t} his seid felowship in wayte of your seid besecher, his men and tenauntes vnto þe tyme that they had certeyn worde of þe batayll late goten by þe kyng on this side York, to the gret costes, harmes and charges of your seid besecher of xl*li.*

Also where youre seid besecher had a commission to take certeyn persones within the seid counte, somme of which persones were w^{t} þe seid Erle at Wakefeld by þe sendyng and fyndyng of þe seid Hugh ayenst the ryght high and myghty Prynce the Duke of York and the ryght worshipfull lordes the Erles of Rutlond and Salesbury and other, whos soules God assoyle, the seid Hugh gadered vnto hym dyuers of the seid persones specified in the seid commission, whiche he with force ryottously kept and so yet kepith, to þe gret labour and costes of your seid besecher in rydyng for þe same persones of xx*li.*

Also where nowe late your seid besecher ordeigned among his tenauntes and seruauntes at Modbury aboueseid, that certeyn of theym shuld nyghtly wacche within the seid Toun of Modbury for þe saufgard of þe same Toun and Cuntrey and bycause the seid enemyes the ffreynsshemen late afore that were in that cuntrey to þe gret hurte of þe same, oon William Rowe, otherwise called

William Chamburn, brother vnto þe seid Hugh, and by the sendyng of the same Hugh, on Trynyte Sonday at nyght last past came to þe seid Toun of Modbury at other dyuers of his affynyte arrayed in fourme of werre: and there riottously made assaute vpon the tenauntes and seruauntes of your seid besecher than wacchyng in the seid Toun, and there greuously bete, hurte and wounded theym: so that they neuer sith durst kepe þe wacche within the seid Toun of Modbury, like as all other Tounes there aboute haue doon and doo. The whiche hurte so doon vnto þe seid tenauntes and seruauntes is to the gret hurtes and harmes of your seid besecher of xl*li*.

Wherfore please it youre good lordship the premisses with the circumstaunces tenderly to consider, and therupon of your speciall lordship to graunt a wrytte of Sub pena to be direct vnto þe seid Hugh chargyng hym vpon a gret payn therin to be lymyted that he appere afore the Kyng in his Chauncery at a certeyn day by you in the same wrytte to be lymyted, there to be examyned vpon the premisses and vpon his examynacion that he may there be ruled to make restitucion vnto youre seid besecher for all the seid wronges, ryottes, hurtes and losses by hym to youre seid besecher doon. This at the reuerence of God, to whome your seid besecher shall specially pray for þe preseruacion of youre lordship.

Plegii de prosequendo { Johes Frank de Modbury Burgh in com. Deuon, yoman. / Thos fforde de Ludbroke in com. Deuon, yoman.

II. WILLIAM KYD AND THE MARIE OF ST. ANDREWS

See pp. 89, 90 above. The first commission was issued, in response to a request by King James of Scotland on 14th March 1454, to Sir Philip Courtenay, Sir John Denham and the sheriff of Devon (*Cal. Pat. Rolls*, vi. 170). A second commission on the complaint of Sir William Kanete was issued on 3rd July to Sir William Bourghchier de FitzWaryn, Nicholas Aysheton, Sir Philip Courtenay, Sir John Denham, Thomas Gylle, James Chudley, and Nicholas Radford (*ib.* vi. 178; *Early Chancery Proceedings*, 24/4).

Chudley, Radford, and Gylle, as three of the commissioners, made certificate at Exeter on 10th August by the testimony of John Germyn, mayor of Exeter, and others, that the ship of 'Wm. Kenete de Scocia militis' with his goods and merchandise was at Exmouth on that date in the keeping of William Kede, and that they had seized the ship and

merchandise and delivered them to Kenete as directed in the Letters Patent (*Early Chancery Proceedings*, 24/3). The earliest other document in the case which has been preserved (*ib.* 24/261) is the :

1. *Bill of William Mayhewe against Thomas Gylle*

To the right gracious and honorable lord the Erle of Salisbury [1] and Chaunceler of Englond.

Humbly besecheth youre [oratour] William Mayhewe, citezein and ffisshmonger of London, that how the Bisshopp of Seint Andrewes in Scotland hath do arrested and withholdeth a ship called the John of Caleys, wherof John . . . is owner, wheryn your said suppliaunt hath certein goodes to the value of ship and goodes of ccc*l.*, which ship and goodes been restrened ffor as moche as a ship called the Marie of Seint Andrewes in Scotland [laden] with wyne and other merchandises perteyning to the said Bisshop about Seint Andrewes tide the xxxijth yere of the regne of oure soueraigne lord þat now is was wrongfully taken by men of the West Contrey vppon the see and brok the þe kynges [peace] and also the trewes that was than taken betwene our said soveraign lord and the Kyng of Scottes and without any restitucion duely made, except one calling hymself Sir William Kanete, knyght, pretending hymself to be [brother of] the said Bisshop, claymed the forseid ship the Marie and the wyne and merchaundises to be his propre goodes, pursued by certein meanes vnto youre lordship to haue a commission lawfully directe vnto the [west] parties aforseid [for to] haue recouere of the forseid ship, wyne and merchaundises, with which commission the same knight was in the west parties and recouered the same ship and a part of the merchaundises and that ship solde vnto one Thomas Gylle. Of which recouere and sale the forseid Bisshop hath knowlech by verrye writing sent vnto hym. And this same Bisshop disavoweth the saide knight to be his brother or owner of the seid ship and merchaundises and [therof] hath sent sufficient writing vnto youre seid suppliant. Because of which writing the seid William Mayhew sued vnto youre lordship atte the Ry . . ., which tyme you sent down a commission to Sandwich where as þe forseid ship called the Marie was at [ro]ode in the harbour, which commission was direct to the Kynges officers ther for to arrest hit. And the persones that wer in hir at that tyme wold nat [suffer the] arrest but maliciously made stuffe . . . of . . ., chargyng the commissioners vppon peyne of theire lyves that they shuld nat once touche the

[1] The date must therefore be between 1 April 1454 and 7 March 1455; probably it was in Sept. or Oct. 1454.

ship borde, and whan þe commissioners for drede retorned home . . . the Purse . . . the whiche . . . he hath founde it is unknowen.[1] And thus by these meanes the ship and freight is escaped thens so that your forseid suppliant can haue no retorne of his seid ship and goodes beyng now in Scotland to his vtter vndoing without your gracious lordship ; to which it may please to considre the premisses and theruppon to graunt seueral writs sub pena direct vnto the seid Thomas Gylle, [to the sheriff of Deuon]shire, and vnto John Nedam, beyng master therof whan she shuld haue be arrested, charging theym to bring the forseid ship called the Marie with the freight . . . and in the same [sort] in which she shold haue be arrested. And also that each of hem appere tofore your lordship and other lordes of the Kynges Counseill &c vppon a peyne &c.[2]

2. *The Answer of Thomas Gille* [3]

This ys the Answer of Thomas Gille vnto the bille sued ayenst him by William Mayowe citezen and fisshmonger of London.

The saide Thomas Gille saieth that the saide bille ys insufficeaunt to put him to answer, and that by the mater conteyned in the same ys not surmitted any wronge, trespas or offence to be don by him to the said William Mayowe, wherfor he praieth to be discharged and dymessed out of this courte of the Chauncerie. And for more pleyne answer to the same bille and declaracion of the trouth : wher it ys surmetted that a shippe perteynyng to the Bisshoppe of Seint Andrew in Scotlond called the Marie of Seint Andrew with certen his wyne and merchaundises schuld haue be wrongefully taken by men of the Westcontre vppon the see and schuld haue be deliuered vnto to on Syr William Kanete, knyght, by colour of an vntrew suggestion and suite made by the said Syr William Kanete as in the saide bille ys conteigned mor at large : the saide Thomas Gille making his protestacion, noght knowyng any suche vntrew suggestion or suite made by the saide Syr William Kanete, saieth that the Kyng our souereigne lord by his letters patentes of commission vnder his grete seall, made at Westminster the iij day of Julii the yer of his Reigne xxxij, directed vn to Syr William Bourghchier of ffitzwaryn, knight, Nicolas Aissheton, Thomas Gille and to oder persones, to enquere of the taking of the said shippe by all wayes and menes that they cowthe, and to make restitucion and deliueraunce vnto the said Syr William Kanete as in the said Commission and the Retourne

[1] The original is barely legible at all here.
[2] The formal ending is scarcely legible.
[3] From *Early Chancery Proceedings*, 24/5.

therof made in to the Court of the Chauncerie, as in the copies of the which to this bille annexed more plainly it apperith. By menes of the which Commission and proues ther vppon hadde the said Syr William Kanete to the saide shippe and goodes was restored, and so the said Thomas Gille [was [1]] not partie to no offence nor wronge, wher for he praieth to be dymessed out of this Court of the Chauncerie.

[Apparently Mayhewe made a Replication to which Gille put in a Rejoinder; but neither have survived, though their tenor appears from Mayhew's Replication to the Rejoinder.]

3. *The Replication of William Mayhewe* [2]

This is the Ripplicacion of Wyllyam Mayhewe to the Reioynder of Thomas Gille.

The seid William Mayhewe seith that that the seid Thomas Gille hadde verrey knowlech that the said schipp and goodis at the tyme of the takyng and restitucion of the same pertened by right to the Bisschopp of Saynt Andrewys and not to the said Syr Wyllyam Kanet, and that the said Thomas Gille and the said Syr Wyllyam by their common assent sued and labourd as well the said Comyssion as the said inquerre and examynacion to thentent that the said schipp and goodis shuld be delyuered to the said Syr Wyllyam Kanet so that the said Thomas Gille schuld by them and haue them of the said Syr Wyllyam Kanet at the pryse of the said Thomas Gille, lyke as in the rather ripplicacion of the said Wyllyam Mayhewe to the answere of the said Thomas Gille he hath surmytted: and in als mych as the said Thomas Gille withsaith not that he hadde verrey knowlech that the said schipp was wrongfully taken vpon the see contrary to the saufcondit of the Kyng our Soueraigne lord, the which schipp and goodes the said Thomas Gille afterward hadde as it is afore surmytted: by cause of which takyng and kepyng the schipp and goodes of the said Wyllyam Mayhewe ben taken to Scotlond and ther reteyned to this day: he ther for prayeth that the said Thomas Gille may be compelled to make restitucion to the said Byschopp of Saynt Andrewys of the said schipp and goodes, the which he hadde of the said Syr Wyllyam Kanet, so that ther by the said Wyllyam Mayhewe may be restored to his said schipp and goodes yet reteyned in Scotlond: all which maters the said Wyllyam Mayhewe is redy to prove as this Court will award, wherfore he praieth Jugement, &c.

[1] Omitted in the original.

[2] From *Early Chancery Proceedings*, 24/6.

III. THE PIRACY BY *THE EDWARD* OF POLRUAN

See pp. 94–97 above. The documents in this case, though not complete, are unusually full. They begin with the Bill of Complaint by Francis Junyent, to which are annexed Schedules of the goods in the galley, and the names of the principal pirates, of the owners and victuallers of the ships, and of those who were receivers. Presumably all the persons implicated filed answers, but only eight are preserved. The answers of Robert Ferrour, Thomas Butside, John Mark, and Thomas Pennarth were apparently drafted by the same hand. Those of Nicholas Carmynow and Thomas Tregarthyn are also drawn on the same lines, and may perhaps have been drafted in conjunction with the first four. The two others are independent; James Durneford denying that he had any share in the piracy whatsoever, and John Watte declaring that the writ had been addressed to him in error. Junyent made a general Replication to the Answers. With the regular papers are filed various Memoranda relating to the case, viz.:

(1) 1463. Feb. 13. Recognisance of William Menwynnek to appear on the quinzaine of Easter, on which date he appeared and was dismissed.

(2) Thomas Tregarthyn appeared as bound. Day was given for the morrow of the Purification 3 Edward IV (3 Feb. 1464), on which day he appeared in Court and was dismissed *sine die*.

(3) 1462. Nov. 3. John Carmynow of Repreve, Cornwall, gentilman, and Thomas Pennarth of Pennarth, Cornwall, gentilman, became mainpernors for Nicholas Carmynow, squire, in 1000 marks. Nicholas was bound in 2000 marks to appear on the quinzaine of St. Hilary next, when he was bound in 1000 marks to appear when required.

(4) 1462. Nov. 3. Similar document for Thomas Tregarthen; Thomas Pennarth and John Mark of Lyscard, gentilman, mainpernors.

(5) 1462. Nov. 3. Similar document for Thomas Pennarth; Thomas Tregarthen of London, gentilman, and Nicholas Carmynow of Hustyn, Cornwall, squire, mainpernors.

(6) 1462. Nov. 3. Similar document for John Mark; Thomas Pennarth and Thomas Rowell of St. Clare, Cornwall, gentleman, mainpernors.

[All the documents are filed together in *Early Chancery Proceedings*, 28/455–469, though not in correct order.]

1. *The Petition of Francis Junyent*

To the right Reuerent ffader in God and my full gode and specyall lord Bysshopp of Excestre, Chaunceller of England.

Shewith and lamentably complayneth vnto your good lordshipp ffrancisse Inynet, subget vnto the Kyng of Aragon, the which is of the full olde amyte and alliaunce of the right high and mighty Prynce King Edward the iiij^{te} and of his full noble progenitours Kynges of Englond, Patron of a Galey namyd Seynt Antonye and

Seynt ffrancisse of Barseloyne in Catoloyne, which is vndur the obeisaunce of the said Kyng of Aragon, that wher as some [merchauntes of] the parties of fflaunders and in the Porte of Southampton had dyuers notable goodes and merchaundises to the value of xijM.*li.* and more shipped in the said Galey and put vnder his reule kepyng . . . and charge . . . value specyfied in a Cedule hereto ann[ext] perteyned vnto hym and to certeyn persones of Aragon aforesaid to the value of iijM.*li.*: the which Galey comyng and saylyng from the said Porte of Southampton toward the Porte of [Barseloyne] byforsaid a grete tempest of wedur the xxvijth day of Nouembre the yer of oure Lord God Mccccxlix was brought in to the Porte of Plymmoth with the said goodes and merchaundises bring ther . . . trustid sauely to haue abeden, aswele by cause of the said amyte and alliaunce as by cause of letters Patentes of sauegarde vnder the grete Seall of Henry the vj late callyng hymself Kyng of Englond . . . and graunted to your [said] besecher for his saue garde and tuycion in that byhalfe, the which letters ar ready to be shewed to your good Lordshipp, abode at the Ankre with the same galey, goodes and merchaundises, beyng ther [with in] the same porte: [that tyme certeyn] misdoers, Pyrates and Robbers vpon the see arrayde in maner of werre with force and armys the said xxvijth day of Nouembre in a shipp callid the Edward of Polruan and in a barge callid the Makerell of ffowy, [of the which] Pirates and Robbers the namys ar specyfied in a Cedule hereto annext, thenne and ther toke the said galey, goodes and merchaundises, and youre said besecher and the merchauntes and maryners in the same galey thenne ther beyng put oute of the same: notwithstandyng the said letters of saue garde were thenne and ther shewed to the said misdoers, Piratis and Robbers by your said besecher. And fro thence the said misdoers brought the said galey into the Porte of [ffowy] and ther the same galey breke, and aswele all the said goodes and merchaundises specifyed in the said Cedule as the remenaunt of the said goodes and merchaundises then beyng [in the said galey divided] emonge [the vitelers and owners] of the said shippe and barge, and also emonge other persones whos names ar specyfied in the same Cedule, to haue their ffauour, socour, mayntenaunce and supportacion in their said wrong and quarells, and the names of the owners and possessioners [and vitelers] of the same shipp and barge ar also specyfied in the same Cedule: which premisses considred like it youre good Lordshipp to graunt seuerall wryttes of sub pena to be direct to all the said persones specyfied in the said Cedule to appere afore the Kyng in his [Court of Chancery] at a certeyn day by youre good Lordshipp to be lymytted, ther by

youre grete wisdome to be examened of and vpon the premisses and to do and receyve in that byhalf by your good Lordshipp accordyng to the lawdable lawes and Statutes of this Realme in such case ordeyned and prouyded as reson and good concyens requyren, so that your said besecher may haue aswele satisfaccion for the wrongefull takyng of the said galey, goodes and merchaundises, as for his costes and damages had and sustenyd in that b[yhalf by] reson of the same : consideryng youre said suppliaunt had neuer restitucion ne satisfaccion of the said galey, ne of any of the said goodes or merchaundises to his vtmost distruccion without youre good and gracious Lordshipp be to him shewed . . . humbly besecheth you for the loue of God and in way of Charyte.

2. *Schedule of Goods Shipped in the Galley*

He sunt parcelle mercandizarum galie ffrancisci de Junyent de Barselona, que depredate fuerunt in comitatu Cornubie per Anglícos sub saluo conductu domini Regis.

Primo : Petrus Font, draperius ciuitatis Barchinone, habuit in galea ffrancisci Junyent decem balas de pannis de lana carricatas per Celdonium fferrer in portu de Sclusa, in toto lxvj pecias panni. Item xxj birreta.[1] Item vj pecias canemacii.[2] Item vna pecies tele Holandie. Item duos superlectos de Arraz. Item viij balas pannorum duplorum Anglie carricatas in portu Suthamtonie. Item, barrile, candelabra latoni,[3] et alias res paruas.

Item Lodowicus Gylabert, ciuis ciuitatis predicte, habebat in dicta galea v balas carricatas in dicto portu de Scluse per Johannem Berenguarium Thora, in quibus balis erant tele Holandie et Brabancie et saye [4] fine de Arracio cum sarpellariis.[5]

Item, Johannes et Johannes Aquilari, ciues dicte ciuitatis, habuerunt in dicta galea xxiiij balas et duas baletas carricatas in portu Scluse per Bartholomeum Moncesa, in quibus balis erant tele Holandie et Brabancie et panni de Arracio et panni de lana. Item, viij tonelli de merceria, et alia multa in dictis tonellis.

Item, Franciscus Pipinelli, mercator dicte ciuitatis, carricauit in dicto portu Scluse infra dictam galeam iiij balas tele Holandie et Brabancie. Item bonets et vnam fortem precium [6] de Ambre. Item, vnam balam de pannis de Arracio. Item, iiij baryls de filo ferreo et de peluibus siue bacinis et vna butta de acubus de cupro.

Item, Raymundus Bertram, ciuis eiusdem ciuitatis, habuit in dicta galea vnam balam de telis Holandie carricatam in portu Scluse per Petrum de la Canaleria.

[1] birretts, or hoods. [2] canvas. [3] latten. [4] serge.
[5] pack-clothes. [6] Perhaps an error for ' peciam '.

Item, Johannes ffont, ciuis eiusdem ciuitatis, habuit in dicta galea iiij balas carricatas per Celdonium fferrer in portu Scluse cum telis Holandie et aliis mercanciis.

Item, ffranciscus Cafont, ciuis eiusdem ciuitatis, habuit in eadem galea v balas teli Holandie et unum tonellum de acubus capitis carricatas per Celdonium fferrer in portu Scluse.

Item, Antoni Marquillas, dicte ciuitatis, habuit et carricauit in dicta galea apud Sclusam quandam baletam de telis et aliis rebus diuersis.

Item, Johannes Tardades, mercator dicte ciuitatis, habuit et carricauit supra dictam galeam in supradicto portu Scluse in quadam cista telas, capellos et alias mercancias.

Item, Barnardus Matas, sartor dicte ciuitatis, habuit et carricauit in dicta galea in supradicto portu Scluse vnam cistam cum telis Holandie, pannis de lana et aliis mercimoniis.

Item, Johannes Soler, barquerius dicte ciuitatis, habuit et carricauit in dicta galea in supradicto portu duas balas et vnam cistam cum telis Holandie, pannis de Arracio et aliis mercimoniis.

Item, Petrus de Casasus, mercator dicte ciuitatis, habuit et carricauit in dicta galea et portu de Scluse duas balas et vnum balone siue j balam, in quibus erant tele Holandie et de . . . et alie mercimonie.

Item, Lodowicus de Cordall, mercator dicte ciuitatis, habuit et carricauit in dicta galea et portu de Scluse duas cistas et duas balas, in quibus erant panni linei diuersorum colorum et tele Holandie et de Combrey [1] et Mappe,[2] et vnum superlectum de Arracio et canemacium [3] de Vetri [4] cum aliis mercimoniis.

Item, ffranciscus de Junyent, ciuis dicte ciuitatis et Patronus dicte galee, habuit in dicta galea, vocata Sent Antonii et sent Francesc, omnia necessaria pro nauigacione dicte galee, funes, velas, arma, brigandes celatas, enses, clipeos et alia arma necessaria pro ccl. hominibus, lanceas, tele et alia arma superhabandancia, et omnia illa fuerunt depredata corpore galee excepta vna vele et paucis aliis corredis,[5] que galea cum suis armamentis et aliis harnesiis siue armis supradictis valebat magnam summum pecuniarum.

Item, habebat ipse patronus multa ornamenta de pannis de Arracio pro galea et plures vestes de serico et de lana pro persona sua, et xlv pecies Argenti inter platos et ciphos pro seruicio suo. Item, libros Sacre Scripture. Item, ipse patronus carricauit in portu Scluse supradictaque galea tres balas in quibus erant panni

[1] Cambrai. [2] ?
[3] *sc.* canevacium, canvas. [4] Vitry en Artois. [5] ? cords, rigging.

linei fini et tele Hollandie et de Donarda [1] et canemas de Vetri, et pelles siue furrature, et panni de Arracio, et tria barillia in quibus erant pelues magne, candelabra latoni et de cupro noua mena,[2] et xxx balas de herrynges. Et ultra illa ad portum Suthamtonie habuit vnam baletam in qua erant panni lanei de grana et aliorum colorum fini, et iiij panes de stangno de Niulun [3]: que omnes mercancie carricate debuerunt soluere ipso patrono magnam summam pecuniarum, ostendebant.[4]

Item, Petrus Augustinus Alba habuit in dicta galea vnam balam pannorum Arracii, quam pro eo carricauit Celdonius fferrer in portu Scluse: et ultra hos vnam balam, vbi erunt v panni ampli Londoniarum, quam carricauit Michal Desmas in portu Suthamtonie.

Item, bona nautarum que remanserunt in galea ipsa, quod verificatum est in Suthamtonia de mandato domini Regis et apparet in Cancellaria: que bona pertinent dicto patrono.

Hic inferius apparent bona mercatorum ciuitatis Valencie.

Primus, Lodowicus Blanc, ciuis Valencie, habuit et carricauit in portu Scluse in dicta galea iij balas de telis et saye darracio et pannes de Arracio.

Item, Leonardus Andreas, ciuis dicte ciuitatis, habuit et carricauit in dicto portu vnam balam de telis et saye de Arracio.

Item, Petrus et ffranciscus Eximine, mercatores dicte ciuitatis, habuerunt in eadem galea ij balas de telis et aliis mercimoniis, et vltra hoc medietatem de tribus cistis de aguyllis de say, et vnam paruam balam de filio, et vnam balam de sargiis de Arracio, que omnia fuerunt carricata in dicte portu de Scluse per Johannem Berenguer Thora, et vltra hoc viij pecies seu panes stangni carricate apud Southamtoniam.

Item, Lodowicus Berenguer, mercator eiusdem ciuitatis, habuit in eadem galea vnam balam de pannis Anglie, amplos diuersorum colorum.

Item, Raymundus Berenguer, dicte ciuitatis ciuis, habuit in eadem galea ij balas tele Holandie, et de filio Donardo et v pecies de sargiis de Arracio.

Item, Maceanus Berenguer et Bonasonatus Berenguer habuerunt in dicta galea mercimonia carricata in portu Scluse per Gerardum Plouer, vnam balam de ffustiano et filo Donardo. Item, vnam balam de pannis de Arracio et de filo Donardo. Item, iij balas de

[1] It is not clear what place is meant, unless it is a corruption for Tournai (Dornex) or Douai.

[2] I cannot explain this: it may be an error of the scribe.

[3] The original has 'panes de de (*sic*) stangno Niulun': the last word is, however, doubtful; it should be the name of a place.

[4] There is something amiss with the construction.

telis et filo, capellis et byretes. Item, vnam balam de saye et telis crudi. Item, una cassea siue cista de acubus capitis. Item, vnam cistam de byretes. Item, duas balas de filio de Spinala. Item, vnum barile de forficibus.[1] Item, vnum tonelle de fulla de ferro, vnum tonelle de patellis siue conquis.[2] Item, ij tonellos de acubus capitis et aliis mercimoniis. Item, ij tonellos de merceria.

3. *Schedule containing the Names of those concerned in the Piracy*

Theys ben the namys of the Pirates and Robbers þat wer in the barge called the Makerell of ffowy that toke the galey of ffrances de Junyent of Barsolon.

In primis: John Cornowe, cc.*li.*, John Gefferey, Howell ap Jankyn, William Wellys, John Nicoll, John Morys.

The names of those that were in the ship clepid the Edward de Polruan: Thomas Philyp, John Roger, Thomas Gardyner, John Attred, William Webbe, Walterus Kylwhite, Nicoll Skawyth.

The names of the Vitelers of the sayd barge: Nycoll Carmynowe, John Browne, Thomas Peke, Walterus Julyan, Herry then seruaunt of Nicolas Carmynowe.

The names of the Vytellers of þe schip: Hugh Curteney, knight, M.*li.*, John Trevylian, squyer, M.*li.*, Thomas Philip, Thomas Tregarthyn, John Yonge.

The names of the owners of the same schip: John Trevylian aforsayd, Thomas Philip aforsayd, John Perkyn, William Perkyn, John Peykyn, Walter Adam.

The names of thos oþer persones þat had parte of the goodys þat was in the sayd Galy: Richard Tyrell, Oton Edward, Thomas Byan, (William Duke),[3] John Colshyll, knight, M.*li.*, (Richard Turgeys, squyer), John Arrundell of Talvern, M.*li.*, Thomas Butsyd, (Thomas Kyligrew), John Elyn, Otes Nycoll, John Tremere de Trevere, Thomas Upton, John Upton, William Upton, Edward Bekete, William Lytilton, Thomas Calewey, William White, (William Pensome), Michaell Power, squyer, M.*li.*, Robert fferrour, (The Vicar of Akreton), John Gay, John Malerby, John Payn, John Stephyn, John Marke, James Durneford, squyer, M.*li.*, William Hurd, John Achyn, John Ash, yoman of the crowne, The Pryour of seynt Kearnek, M.*li.*, Stephyn Carkyk, John Trelawny, squyer, M.*li.*, John Trelawny the yonger, William Menwynnek, Thomas Pennarth, Thomas Fayra . . .,

[1] scissors. [2] ? conques or shell-shaped vessels.
[3] The names in brackets were afterwards struck out.

Nicholas Loure, Robert Wryng, Stephen Olyuer of Lostwitall, Stephen Bulnyt, William Bere, John Hopkyn, William Der . . . ham, William Lytilwyk, Rychard Bere, John (?) Copleston, John Wattys.[1]

4. *The Answer of Robert Ferrour*

This is the answer of Robert Ferrour to the bill of ffraunceys Jungent.

ffirst where it is supposed by the bill of compleynt and sedule annexed that dyvers goodes and merchaundyces þ^t^ were take in the saide galye schulde come to his handys: Therto the saide Robert saithe that a bonett and a payr of knyves come to his handys, the which goodes were delyverde to oon Thomas Bodulgate by vertue of a Commyssion to hym and other directe: And the saide Robert saithe that the saide galye and merchaundyces ne none parte therof other then is aboue specified come never to his handes ne to none other man to his vse, ne þ^t^ he was never resettour, abettour, procurour, counselour, supportour ne maytenour of the pyrottes, ne of eny of the mysdoers of the takyng of the saide galye: which matter he is redy to prove as your lordship will awarde hym, and praith to be dysmyssed with his costys and damages for his wrongfull vexacion accordyng to the statute in þ^t^ case purvyed.

5. *The Answer of Thomas Butside*

This is the Answer of Thomas Butside to the bill of ffraunceys Jungent.

ffirst wheir it is supposed bi the saide bill of Compleynt and a sedule therto annexid that dyuers goodes &c *as before*: Therto the saide Thomas saith that ther come to his hondes ij yardes of wollen clothe, iij yardes of lynnyn, ij M^l^. pynnes, iij bonettes, iiij bondelles of lynnyn threde; The whiche goodes were deliuered to oon Thomas Bodulgate &c. *as before.*

6. *The Answer of John Mark*

This is the Answer of John Mark to the bill of ffraunceys Jungent.

Wher it is supposed by the saide bille &c. that there schulde dyuers godes that were within the same galye come to the handes of the same John: Therto the saide John saith that ther come to his handes the godes hereafter wryten, that is to say: a swerde, vj bonetes, a paynted clothe, ij kades [2] of rede heryng: the which

[1] Some of the final names are a little doubtful owing to injury to the original.

[2] A barrel of 600 herrings.

goodes excepte the swerde the same John, the xxx [*sic*] day of ffeuerere the yere of the Regne of Kyng Henry the sixte, late in dede and not in ryght Kyng of Englond, xxviij, delyuerd to Thomas Bodulgate, oon of the commyssynars by vertue of letters patentes of the saide late kyng, as it appereth by a bill endented betwene the saide Thomas and John made and sealed with the seall of the saide Thomas redy to be shewed. And as to the swerde the same John delyuerd it afterward to John Colshull, knight, an other of the saide Commyssyonars. And the same John saith that the same galie nor non other goodes that were in the same galie ever come to his handes. And þt he was never resettour &c of the pyrittes &c *as before but ending* wrongfull vexacion.

7. *The Answer of Thomas Pennarth*

This is the Answer of Thomas Pennarth to the bill of ffraunceys Jungent.

ffirst, where &c *as before* to his handes: Therto the saide Thomas saith that iij yerdis of wolan cloth, x yerdys of lynen clothe callid holanclothe, xj bonettys, and vj payr of knyves, the which goodes were in the saide galye, were delyverd to oon Henry More to the use of the same Thomas Pennarth then beyng in London and noght wyttyng therof: the which Thomas Pennarth at the speciall labour and instaunce of Lowes Scott, than factour and attourney to the saide Pateron and merchaundes of the said galye, went oute of London into Cornewell for to labour for theyme for the restitucion of the saide galye, goodes and merchaundyces therin taken, and truely and effectuelly dyd his labour for theym: for the which he was promysed by the saide Lowes xl.*s.* and his costys: and onon as he come into that cuntre and vnderstode of the saide goodes that were ressaved by the saide Henry More to his vse he caused theyme to be delyuerd ageyn to the said Lowes by the commaundment of John Arundell, oon of the Commyssyonars by vertue of the kynges commyssion to hym and others directe for the restitucion of the saide goodes and merchaundices to the saide Pateron and merchaundices (*sic*) in that bihalf to be hade. And the said John saith that the said galye &c *as before*.

8. *The Answer of James Durneford*

This is the Answer of James Durneford, squier, vnto the bylle of ffrancese Juenent putte ayenst hym among oþer in this Courte.

The said James, makyng protestacion that the said bylle and the mater therin conteyned is uniouncerten and insufficient to putte

hym to answere in this Court, for answere and declaracion of trouthe seith that he was noon of the said surmytted mysdoers, pyrates and robbers, vitellers, owners, recettours ner abettours, and that he neither toke the said goodes and marchaundises, ner putte oute the said marchaundes and maryners, ner brought the said galey in to the port of ffowey, ner it broke, ner non of the said goodes toke ner departed, ner non of the said goodes and marchandises hadde, ner ȝit hathe, ner of eny wronges surmitted by the said bille in eny wyse is gylte. All whiche the said James is redy to prove and averre as this Court will award: wherfore he praieth to be dismyssed oute of this Court and to be restored to his costes and damages for his wrongfull vexacion after the fourme of the Statute in suche case made, ordeynyd and provyded.

9. *The Answer of Nicholas Carmynow*

This is the Answer of Nicholas Carmynow to the bill of ffrauncys Jungent.

ffirst wher it is supposid by the saide bill of complaynt and a sedule therto annexid the saide Nicholas to be a viteler of a barge callid the Macrell of ffowey &c. Therto the saide Nicholas saith that he was neuer viteler of the same barge, nor noo parcell therof. Moreouer he saith that dyuers goodes that is to saie iij peces and di. of hole wollen clothes, j pece and di. of lynnyn cloth, xl.m[1]. pynnys, xxx peces plates callid sadeleris plates, viij bondelles of wyre callid sadeleris wyre, xviij bondelles of lynnyn threde, iij bondelles of bonettes, a grete panne of brasse, ij peces of say, xij paire of spurres, a basyn of latyn, xij paire of cissours were deliuered to on Henry Benett, seruaunt to the saide Nicholas, the same Nicholas that tyme beyng in London and not wetyng therof. Butt after and as sone as he knewe therof the same Nicholas causid the same goodes to be deliuered to oon Thomas Bodulgate, one of the commyssioners of the saide ffraunceys Patron of the saide galee, Lowys Scot and Danyell Justynyan, attourney of all the merchauntes of the saide galee, by vertu of a commyssion to the saide Thomas Bodulgate and other direct. And also the said Nicholas saith that ther was yeven to hym ij yardes of mustardviles [1] price the yard xl.*d.*, iij double bonettes part grayned,[2] price the bonet viij*d.*, vC. pynnys of fflaunders, vj parys balles, xij grynnyngames price vij*d.*, vj paire of spurres with short prikkes and noo rewelles price xij*d.*, x yardes of holondclothe price the yard vj*d.*, vj paire of pennar and hynkhornes [3] price ix*d.*, iij peces of white

[1] grey woollen cloth. [2] dyed in fast colour. [3] pen cases and ink-horns.

sadeleris plate price iij*d.* ob., j pece of wyre callid sadeleris wyre conteynyng iiij fathoms price ij*d.*, j quayre of paper price j*d.* ob., ij paire of flemmysshe knyves price the paire j*d.* ob., j paynted cloth of ij yardes long to the value of ij*s.*, C. of tak nayle price ob. : for which goodes the same Nicholas is redi to satisfye the saide ffraunceys and merchauntes or to the owners of theym. And the saide Nicholas saith that ther come neuer to his hondes the saide galie nor any other goodes or merchaundises theryn taken. And furthermore the same Nicholas saith that he was never recettour, abettour, procurour, councelor, supportour ne mayntenour of the pyrottes ne of any of the mysdoers of the takyng of the saide galie. The which maters and euery of theym the saide Nicholas is redi to prove as this Courte will award. Wherfore he praieth to be dismyssed oute of this Courte with his costes and damages for his wrongfull vexacion accordyng to the Statute in that case providede.

10. *The Answer of Thomas Tregarthyn*

This is the Answer of Thomas Tregarthyn to the bill of ffraunceys Jungent.

ffirst it is supposed by the bill of compleynt and a sedule therto annexid the saide Thomas to be a viteler of a ship callid the Edward of Polruan and that dyuers goodes taken in the same galee came to the hondes &c. Therto the same Thomas saith that he was neuer viteler of the said ship nor of no parcell therof. Butt he saith that ther was delyuered to oon Thomas Ga . . . n to the vse of the same Thomas Tregarthyn vij yardis and di. of murrey [1] clothe engreyned,[2] the same Thomas Tregarthyn thanne beyng in London and not wetyng therof. And the saide Thomas Tregarthyn saith that as sone as he knewe therof after he causid the same vij yardis and di. to be deliuered to Lowys Scott thanne beyng one of the attourneys of the merchauntes of the same galee. And the saide Thomas saith forther that the saide Lowys Scott come to hym in Lincoln is Inne in London and entretid hym to labour in to the shire of Cornewaile with the same Lowys and att his costes for to helpe to the levie and restitucion of the goodes and merchaundises takyn in the saide galee, promysyng hym for his saide labour v marc., att whos instaunce the same Thomas Tregarthyn rode in the felowship of the same Lowys into the saide shire, and xiiij daies afore ther comyng the godes and merchaundises of the same galee wer takyn, dispoiled and borne away. Butt after his comyng he did his true labour for the levie and restitucion of the same

[1] dark-red.

[2] dyed in grain or fast colour.

goodes and merchaundises and causid oon John Norton oon of the chief pirates of the takers of the saide galee to be taken and brought to London: And theruppon the same John Norton was commytted to the Kynges Benche. And for satisfaccion of xl*s*. parcell of the saide v marcs the same Lowys Scott deliuered to the same Thomas Tregarthyn certayn goodes that were withyn the same galee after they wore restored to the saide Lowys to the value of xl*s*. And the same Thomas Tregarthyn saith that ther come neuer to hondes other goodes thanne ben afore expressid: nor that he was neuer recettour &c *as in the answer of Nicholas Carmynow.*

11. *The Answer of John Watte*

This is the Answer of John Watte to whome a wryte of sub pena was delyuerd, the whiche was directe to John Watte at the suet of ffraunces Jungent to a bill of complaynte putt by the same ffraunces.

Wher it is surmytted by the saide bill of compleynte that certeyn godis and merchaundises the which among other were taken and dispoyled by divers pyrotis of the see owte of a galye called the Seynt Antonye of Barselonye in Cateleyne come to the handis and possession of oon John Wattis. Therto the saide John Watte nowe apperyng, to whome the saide wryt of sub pena was delyuerde, seith that he hath to name John Watte of Bodmyn, toker,[1] and by that name is knowen and callyd and not by the name of John Wattes, and that John Wattes in the saide bill of compleynte and wryte of sub pena specified is John Wattis sume tyme of Restormell, parker; and moreouer the saide John Watte now apperyng saith that the saide godis and marchaundyses that were toke and dispoyled oute of the saide galye nor no parcell therof came neuer to his handis or possession. The which maters he is redy to prove as this Courte will awarde, and prayth to be dismyssed out of the Courte with his damages and costages for his vndue vexacion accordyng to the Statute in that case purvyed.

12. *The Replication of Francis Junyent*

This is the Replicacion of ffraunces Jungent to þ^e^ Answeres of Nicholas Carminowe and other.

The seide ffraunces seith the seid Nicholas and Tregarthyn was vittelers of þe seid barges, like as is surmysed bi his seid bill, and in als much as thei withsey noght that thei had parte of þe seid merchaundise within the seid galey, wherof your seid besecher was

[1] tucker or fuller of cloth.

neuer satisfied, he prayeth þat thei may be compelled to satisfy your seid besecher accordyng to þe lawe and Statutes in such case ordenyd: and as to the remnaunt of the misdoers as thei withsey noght þat parcell of þe seid good beyng in þe seid galey come to their handys, whereof your seid besecher was never satisfied, wherfore he prayeth þat thei may be compellid to satisfye your seid besecher accordyng to the lawe and statute in such case ordenyd.

IV. THE PIRACY OF RICHARD PENPONS

See pp. 97–101 above. The five documents in this case do not form a complete series. The first is William Joyce's original Bill which cannot have been filed before 11 October 1456, when William Waynflete, Bishop of Winchester, became Chancellor. The other four relate to the later proceedings before George Neville, Bishop of Exeter, in 1461 and 1462. Though the series is formally incomplete, it seems to give us the whole story down to the unsuccessful attempt to arrest the offenders.

1. *The First Bill of William Joce against Otes de Trenwith* [1]

To the right Reuerent ffader in God the Bisshop of Wynchester, Chaunceller of Englond.

Besecheth mekely your humble seruaunt William Joce of Bristow, marchaunt, that wher as the Statute mad in the Parliament at Westm[inster the xxvij yere of the reign of Kyng Edward] the third, among other thyngis is contayned that if any marchaunt Daynsyn or straunger be robbed or dispoiled of his goodes or marchaundise vpon [the see and the] goods or marchaundises so robbed come in eny party of this Roialme and the marchaunt so robbed or dispoiled of the seid goodes and marchaundises [shall] by his cokettis, markes [or carte show that the goods are his],[2] that than he shall be restored to the same goodes without any sute to be made by the course of the comone lawe of this lond, as in the same Statute is conteyned more at large: your seid besecher, hauyng of the graunt and special grace of the kyng our souereign lord a saufconducte for ij shippes of Bayon of viij^{xx} ton or withyn, had charge and lade [one] of the seid ij shippes called the Kateryn of Baion xlij ton of wyne and x ton pois of Iron of the goodes and marchaundises of your seid besecher to the valewe of CCCC.*li.*, and the seid shipp late comyng toward this Roialme with the seid goodes and marchaundises opon the See was taken by on Otes

[1] *Early Chancery Proceedings*, 26/403.

[2] The original is defective; the missing phrases are supplied from the statute in the *Rolls of Parliament*, ii. 249.

Treunwith of Seint Ives in Cornwale and other [such] persones of the same Toune, and brought to the same Toune and delyuered to the possession of the seid Otys, the which ship, goodes and marchaundises the seid Otys hathe manvested and occupieth as his own propre goodes to the gret hurt and destruccion of your seid besecher w^t^ out your gracious help and socour [on] this partye. Please it therefore your gracious lordship to considre thes premisses and thereupon graunte a writ to be directed to the seid Otys to appere byfor you in the Chauncery at a certen day and vpon a certen payn bi you to be lymited to be examyned of the premisses, and thereafter to be demed as reason and conscience shall require, at the reuerence of God and in the Wey of Charite.

Plegii de prosequendo { Johes. Lotes[don] de Glaston. in com. Som.', gentilman. Thomas Mathew de Bristoll, gentilman.

2. *The Second Bill of William Joce against John Calmady* [1]

To the right reuerent fader in God George, Bysshop of Excestre and Chaunceller of Englond.

Mekely besecheth your good lordship your contynuall Oratour. William Joce of Brystowe, marchant, and Richard Burton, forasmuch as [Bartelot de Rever and] [2] they had letters of licence and saufconducte graunted the viij day of Octobre by Henry the sext, late kyng of Englond in dede but not of right, the xxx yere of his reign, for a ship of the burdon of viij^xx^ tonne or within, or two shippes conteynyng the same burdon or within, by vertue of which licence and saufconducte your said besecher freight att Burdeux a Barge called the Katerin of Baion, wherof Willm. Suharra, maryner of Baion, was þerof maister, at that tyme beyng tharyn x ton of Iron, xvij ton of wyne, iiij^xx^*li.* of Saffron, and lx.*li.* of yvery with other goodes and merchandise to the value of vijC.*li.* of the goodes and merchandises of your seid besecher, by vertu of which Saufconducte and licence the vij day of Decembre the seide xxx^ti^ yere of the same late Kyng in dede and not of right the seid Barge, soo freight and charged as is aforeseid atte Burdeux, comyng fro thens towardes Englond, and the seid Barge nygh þ^e^ costes of Seint Tyes [3] in the Counte of Cornewaill towarde the port of Brystowe, by the seid maister saufly was ledde the xxiiij day of Decembre the yere aforeseid, John Calmady with many other

[1] From *Early Chancery Proceedings*, 27/412.
[2] Interlineated and worn: but see below.
[3] St. Ives.

misdoers, pirates and robbers, vppon an ancre in the see tooke the seid Barge and [freight],[1] insomuch as the seid John Calmady had grete parte of all the Iron, wyn, saffron and yvery, as by an inquisicion afor your Justices of record more pleynly it apperith: that it wold plese your good and gracious lordshyp in consideracion of the premisses to compell and roule the seid John Calmady, which is now present in Court, to restore your seid besecher the seid Iron, wyn, Saffron and yvery, or the value tharof, with such costes and hurtes as thei hafe sustenyd þerby, accordyng to the statutes and ordinaunces in such cases prouidet and as reason and conscians wyll at the reuerence of God and in wey of Charite

Plegii de prosequendo { Wills. Ploughright de London, gentilman. Thom. Wall de London, gentilman.

3. *The Answer of John Calmady*[2]

This is the Answer of John Calmady to the bill of Willm. Joyes.

The saide John Calmady saith by protestacion that the saide Barge, goodes and merchaundises were nott so many nor of such value as the saide bill supposed: And also that the saide bill is nott sufficeaunt to putt hym to answer to: Butt for answer he saith he is not gilty of the takyng of the saide Barge, goodes and merchaundises, nor of no parcel of theym: Nor the seide Barge, goodes, nor merchaundises, nor any of theym euer come to the possession of the said John Calmady, nor he had theym nor noon of theym, like as by the saide bill and Inquisicion is supposid: And furthermore he saith that ther was a Saufcondite and licence graunted by the said Harry, late kyng, to one Bartelot de la Rever of Bayne, squyer, Machyng de Lace, Edward Wilkok, Thomas Smalcombe and the said Willm. Joyce, the which Machyng, Edward, Thomas and Willm. were by the saide Bartelot therto named for a ship of the portage of viij^{xx} ton, or ij shippes of the saide portage or within, and for xlviij maryners of the porte of Bayne or other portes ther, for to be freight with Wood, Iryn, Bevers,[3] Wynes, Saferon and other merchandises of that parties to be brought into Englond: Bi the vertue of the which safe condite and licence the saide Willm. Joyce freight ij shippes at Burdeux with Wynes and other merchandises, wherof the oon was a ship callid the John of Saynt Sebastyan of the portage of C. ton tyte,[4] and the other a Balynger callid the Antony of the saide Saynt Sebastyan of the portage of iij^{xx} tontyte, the which ij shippes he conveied savely in to Englond, that is to saie the ton to the porte of Bristowe and

[1] The original is worn; but the 'g' seems clear.
[2] From *Early Chancery Proceedings*, 27/412 B.
[3] helmets.
[4] or tontight (see p. 199 below), tons burden.

the other to the port of Barstaple in the Counte of Devonshire, and there discharged theym: and the saide ship named in the saide bill and bi the saide Willm. Joyce callid the Kateryn of Bayne was a ship of Saynt Vyncentes of Spayn callid the Kateryn of Saynt Vincentes of Spayn and not of Bayne, for the which ship he had noo Safecondite butt colorid, and vnder the saide safecondite, where he had executed the saide Safecondite by the saide other ij shippes. And also the said John saith that in the said safecondite is nott nor was specified the shippes name nor maister, owner nor portage: Nor the said safecondite nor noon other safecondite was withyn the saide Barge at the tyme of the takeyng of the saide Barge: Wythoute that the saide ship callid the Kateryn was a ship of Bayne or callid or knowen by the name of the Kateryn of Bayne: And withoute that the saide Willm. by the vertu of the saide Safecondite and licence freight the saide ship in maner and fourme as he hath supposed by his saide bill: And withoute that the saide Willm. had any other safecondite then the saide safecondite graunted to the saide Bartelot, Willm. and to the other afore named. All the which maters the saide John Calmady is redi to prove as this Courte will award. Wherfor he praieth to be dismissed oute of this Courte with his costes and Damages for the wrongfull vexacion, according to the Statutes in such case provided.

4. *The Third Bill of William Joce against Richard Penpons* [1]

This Bill begins with a recital in the same terms as the Bill against Calmady to the words ' safely was ledde '.

It then continues:

The xxiiij day of Decembre the yere aforesaide Willm. Jakkik, John Henry Barowe, John Petit, maryner, John a Nyer, Hugh Harry Barowe, Graunde John, John William Treskawe, Piers Jakharry, Henry ffevyn, John Calmady, John Andrewe, Piers Trebuwithe and Gefferey Harry Barowe, with other mysdoers and piratys toke the same Barge and the same goodes and marchaundises beyng theryn riottously robbed and dispoiled. After whiche Robbery doon your said besecher come to John Arundell that tyme beyng Shirref of Cornewaill and shewed to hym the same Saufconducte and licence openly in the shire hall of Lostwithiell and required hym þat the said saufconducte and licence might there openly be redde, whiche was soo doon: After whiche saufconducte and licence soo redde, oon Richard Penpons of Corne-

[1] From *Early Chancery Proceedings*, 27/413.

waill, gentilman, that tyme beyng there, before Thomas Marlowe, gentilman of the lord Fitzwater, Edward Bitterley and othir, the saide Richard Penpons seide pleynly þat the same Barge, goodes and merchaundises was lawfully taken and that he wold justifie þe takyng therof: Thurghe the mayntenaunce of whiche Richard Penpons, which had grete part of the said goodes and marchaundises, and whiche Richard was owner and viteller of a part of a Spynnace [1] þat toke the said Barge, your said Oratour might neuer haue the lawe executid ayenst the said mysdoers and pirates, nor recover any part of the said goodes and marchaundises, nor yet dare come there to sue further theryn for drede of dethe, to the gret vndoyng of your said besecher: And furthermore where as your lordship directed a commyssion vnder the Kynges seall to Henry Bodrygan, squier, and other for to take and bryng the mysdoers and pirates aforesaid before you in the Kynges Chauncerie there for to answere to the Kyng as wele as to your said besecher, whiche commission berith date the xxiijth day of Marche in the seconde yere of the reigne of oure liege lorde the Kyng þat nowe is, your said suppliaunt with certeyn commyssioners named in þe said commyssion and with dyuers of þe servauntes of the said Henry Bodrygan on our Lady day the Assumpcion in the said seconde yere come towardes Seynt Tyes [2] for to haue executid the said commission by the Kynges commaundement, and the said Richard Penpons vndirstondyng þat excited, provoked and caused dyuers and many riottous persones to the nombre of iiij^{xx} and moo for to come arraied in maner of warre to seke your said besecher atte the hous of oon Henry Tregliston, gentilman, beside Saynt Tyes: and whan they founde not your saide suppliaunt there they folowed hym and tho that were with hym to execute þe saide commyssion fro Seynt Tyes vnto þe village of Redruthe, whiche is þe space of x myle and more, to the entente than to haue sleyn your said besecher and þo that were with hym, if they had not the sonner avoided fro them, as it is not vnknowen in the said Shire. These premisses considered Plese it your good grace, in as muche as the said Richard Penpons, by whos mayntenaunce your said besecher hathe lost his said goodes and marchaundises,[3] to commande a Sergeaunt of Armes or a sub pena to bryng the said Richard Penpons afore your lordship in the Kynges Court of Chauncerie: And that he vpon his apperaunce there be charged by your lordship vnder a sufficient grete peyne not to passe oute of the same Court till that he have sufficiently answered, satisfied, and contente, or elles have founde sufficient Suerte to answere,

[1] pinnace. [2] St. Ives.
[3] *sic* in original; the construction is at fault.

satisfie and contente your said besecher in the forsaid maner, and to doo and receyue as þe same Court shall awarde and as lawe and conscience requiren, for the loue of God and in way of Charite.

Plegii de prosequendo { Andreas James de Suthampton, marchaunt. Thomas Routhe de villa Westm. in Com. Midd., gentilman.

5. *William Joyce's Replication to Richard Penpons* [1]

This is the Replicacion of William Joce of Bristowe, marchaunt, ayenst the aunswere of Richard Penpons.

The seide William saithe by protestacion that the seide aunswere is not sufficiaunt in the lawe whereby to aunswere to the same: but for aunswere he saith that he freighted the seide ship callide the Kateryn of Baion, whiche was at that tyme a ship of Baion and not a ship of Seint Vincente of Spayne, with the said goodes and marchaundises by reason of the said Saufconduyt and licence graunted in maner and fourme as it is supposed by the bill of complaint of the seide William Joce, the whiche saufconduyt and licence was w^t^ in the ship at the tyme of the dispoyling therof. And also the said William saith in asmoche as the saide Richard withsaith nat the grete riot and insurreccion by the procuracion of the same Richard ayenst the Kinges Commyssion as in the bill of compleynte more openly it is specifiede: And eke he withsaieth nat the taking, robbing and dispoyling of the saide ship callede the Kateryn, and he was vitailler and owner of the said Spynace of Seint Ives and had part of the seid goodes. The same William prayeth that the seide Richard bee compelled to make restitucion according to the lawes and statutes in suche caas ordeynede and providede. And also the seide William seithe, that how bee it that in the seide Saufconduyt and licence is nouther expressede the Shippes name, maister, ne owner, yit that nat w^t^standing the seide Saufconduyt and licence is suffisaunt: And that he reporteth to the discrecion of your lordship: And moreouer he saithe that the substaunce of all the seide goodes came to the handes of the seide Richard Penpons, like as by the bill of the seide William is surmysede. Withoute that, that the seid William brought into the seid poortes of Bristowe and Barstable the seid ij shippes, one called the John of Seynt Sebastian of the portage of C. ton, and other called the Antony of the seid Seynt Sebastian of the portage of iiij^xx^ ton tight, by

[1] From *Early Chancery Proceedings*, 27/413 B.

vertue of the seid saufconduyt and licence in maner and fourme as is supposede by the seid aunswere. All whiche matiers he is redy to prove as this Courte wol rule him : and prayeth that the seid Richard Penpons may bee rulede to satisfie him according to the Statute in suche case ordeynede.

V. THE PIRACY OF THOMAS BODULGATE

See pp. 102, 103 above. In this case we have two copies of the Bill of Complaint, but no copy of the Answer. This is compensated for by the Letters Testimonial drawn up after the Inquisition, and by the Judgement which is endorsed on one copy of the Bill. The proceedings were, of course, taken under the Statute of 1451 which provided that the Chancellor should call to him one of the two Chief Justices ; on this occasion it will be observed that both the Chief Justices were present at the judgement. The Judgement shows that the Answer, Depositions, Examination, Commission and Inquest were all before the Court, though not now preserved.

1. *John Poke's Bill* [1]

To the right reuerent fadre in God the Bisshup of Excestre Chaunceller of Englond.

Sheweth and lamentable compleyneth vnto your gode lordship John Poke, Rauf Moton and Thomas Payn, merchaunts of the Toune of Bristowe, that where as thei bi sufficient licence vnder the Seale of Harry, late Kyng of Englond, at Burdeux freight and chargid a ship called the Marie of Biscaye yn Spayne, beyng vnder saufconduite of the same Kyng Harry, with lvij tonne of Wyne of Gasconyne, ij tonne pois of Irene, xviij pounds of Safron, xvj dosen lampreys, xv paire of Brygandynes [2] and xij salettes,[3] to the value of CCCC.xxxix*li*., of the goodes and marchaundises of the seid John Poke, Rauf Moton, and Thomas Payn : And as the seid ship so freight and chargid was comyng towardys the Porte of Bristowe, John Michell of Bodennek withynne the Shire of Cornewall, maryner, accompanyd with a grete multitude of piratis and robbers beyng in a Carvele callid the Carvele of Tuke, and John Gravell of Golenance withynne the seid Shire, maryner, accompanyed also with many piratis and robbers, beyng in another Carvele callid the Mighell of Fowey, the xxij day of Aprill in the yere of oure lord Mcccclx apon the highe see toke the seid ship called the Marie, godes and merchaundises and broughte the same ship, godes and merchaundises in to the Porte of ffowey withynne the seid Shire

[1] From *Early Chancery Proceedings*, 27/262 ; there is another imperfect copy in 29/27. [2] coats of mail. [3] light helmets.

of Cornewall the first day of May than next folewyng: And there that same day the forseyd John Mighell, John Grauell and othre piratis and robbers beyng in the forsayd Carveles bi the counseill, help, comfort and commaundement of Thomas Bodulgate, esquyer, out of the seid ship callid the Marie toke and spoiled all the seid godes and merchaundises, whiche godes and merchaundises come and be yet yn the handes of the seid Thomas Bodulgate, and your seid suppliauntes bi no meane can haue restitution of theire seid godes and merchaundises: How be it that they at all tymes haue be redy and yet be to prove their properte yn the same godes and marchaundises, as wille bi theire marks as bi charterparties and other evydent writynges. Please it youre gode lordship the premysses tenderly to considre and theruppon to compelle the seid Thomas Bodulgate, nowe beyng here present to make restitucion of the seide godes and marchaundises and of euery parcell therof to the forseid John Poke, Rauf Moton and Thomas Payn, accordyng to the Kynges lawes and his Statutes in suche case ordeyned, and they shall specially pray to God for yow.

2. *Letters Testimoniall*[1]

Be it openli knowen and notyfyed vnto all maner of Cristen peple that these present letters testimonyall shall se or hyre, that wher as a shippe called the Mary of Byskey was freight and lade with Gascoyn Wyne, saffron, Ire[2] and other marchandise, wherof certayn marchauntes of Bristow wer owners, the said ship commyng towardes Bristow havyng a saufcondit and a licence of Harrye, late kyng of Englonde: And was taken opon the see by certayn galyettours, beyng in a kervile callid the Kervyle of Towke, wherof at that tyme John Michell was mastir and in anothir kervyle called the Mighell of Fowey, wherof at that tyme John Gravell was mastir, and by the said galiettours broght vnto ffowey vpon the fest of the seyntes Philip and Jacob in the yere of our lord a M.cccclx^{te}: We the persones beneth wreten testyfy and recorde for trowth that all the said wyne, saffron, Ire and othir marchandyse beyng that tyme in the sayd ship callid the Mary was by Thomas Bodulgat, squyer, spoylid, taken and distribut and divyded to hym self and to such persones as hym lyked ageynst conscience and right and ageynst the vigour and strength of the sayd saufcondit and licence, mountyng in all to lvij ton of Gascoyn wyne, xviij libr. of saffron, ij ton of Ire, xj doss. lampreys, xj peyr of Briganduns and xij salettes, besides the apparayle of the ship and other pryvey god in Cabbanys and Cofres, wherof we know

[1] From *Early Chancery Proceedings*, 29/26.

[2] iron.

certaynli, and so we recorde and witnesse þat the said Thomas Bodulgate had caryed vnto his own hous iiij ton of the sayd wyne and j libr of saffron, which on Reskarrell, a seruaunt of his, fet at ffowey in his name, which had for hym self over þe said iiij ton a pype of wyne: And John Trevylian, squyer, had also iiij ton of the same wyne caryed vnto his hous and a libr. saffron, which Richard Hogan of Parewam, a seruaunt of his, fet at ffowey in his name: And John Arundell, squyer, had thre tonne and a pipe of the same wyne caryed vnto his hous, which his seruauntes, John Walter and Willm. Rede, fet at ffowey in his name, and thei had a pipe wyne to hem self: And the said Thomas Bodulgate fet ten ton of the said wyne, a part vndyvydid, for to make and menteyn ple ther with ageynst the marchauntes of Bristow, owners of the said wyne and marchandyse: And as for al the remanent of the said wyne, saffron, Ire and other marchandise above specyfyed, the said Thomas Bodulgate had it hymself or distribut and divydyd it as hym lyked vnto the owners, vitellers, mastirs, quarter-mastirs and feliship of the said two kerviles, which ne had he ben and his comfort wold haue made iust delyueraunce of al the hoole marchaundise vnto the marchauntes of Bristow, owners of the same. In witnesse of the trouth of al that is above wreten We, Harry Bodrugan, Thomas Treffry, Willm. Horde, squyers, Thomas Sherves, Willm. Dawe, Julyan Hykks, Willm. Brewer, Lawrence Vyrgon, Edward Philip, John Robyn, John Davy, Willm. Cobbe, John Gay, Hoskyn Eston, Thomas Buryat, Robert Lesbane, Hankyn Dort, George Jamys, John Leylond, Willm. Pole, Edward White, John Belmar, Thomas Mayowe and John Barber, inhabitantes about the water of ffowey, haue selid these our lettres testimonyall with our selis at ffowey aforsaid the xviij day of September the first yere of our souereyn lord Kyng Edward the fourth.

3. *The Judgement* [1]

Memorandum that the xvij day of May the secund yere of the reign of Kyng Edward the fourth thies within written bill and answer, deposicions, examinacion, commission, inquest and letters testimoniall to the same bill annexid in the Courte of the Chancery at Westminster redde and clerely vnderstond beyng present the reuerend ffader in God, George the Bisshopp of Excetre, the ij chief Justices of the oon Benche and the other, the Kynges Sergeauntes, the Kynges Attorney, and many other; for as moche as it is considred and consayued by this Court that Thomas Bodulgate,

[1] Endorsed on the copy of the Bill in 29/27.

specyfyed within this bill, hath not all the goodes specified in the seid bill, but that as it is said part of the same goodes came to the handes of diuers other persones agaynst whom the complaynauntes specified in the said bille may [haue] sufficiaunt remedie, this Courte, in as much as the said Thomas was causer of takyng of the said goodes and the . . . of the same, awardeth that the same complaynauntes may recover agaynst the said Thomas CCC.*li.* for part of the said goodes and for the residue . . . to sewe for theyr . . . ageynst the said other persones and that the same complaynauntes have execucion . . . of the said Thomas . . . and of his goods, catelles, landes and tenements, that other persones standeth seased of to his vse, as of the goodes, catelles, landes and tenementes that the same Thomas stondeth seased of himself to tyme the said complaynauntes be satisfied of the said CCC.*li.*

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—, archbishops of, *see* Kemp, John; Neville, George; Scrope, Richard.
—, dukes of, *see* Edmund, Richard.
Yorkshire, troubles in, 51–? 64.

THE CITY OF LONDON IN THE XVTH CENTURY

WARDS AND PARISH CHURCHES

I. PORTSOKEN.
1. St. Botolph, Aldgate.

II. TOWER STREET WARD.
1. Allhallows, Barking.
2. St. Olave, Hart St.
3. St. Dunstan-in-the-East.

III. ALDGATE.
1. St. Katherine Christchurch.
2. St. Andrew Undershaft.
3. St. Katherine Colman.

IV. LIME STREET.
1. St. Mary Axe.
2. St. Augustine Pavy or Papey.

V. BISHOPSGATE.
1. St. Botolph, Bishopsgate.
2. St. Ethelburga.
3. St. Helen's.

VI. BROAD STREET.
1. Allhallows-by-the-Wall.
2. St. Peter the Poor.
3. St. Martin Oteswich.
4. St. Benet Fink.
5. St. Bartholomew the Little.
6. St. Christopher.

VII. CORNHILL.
1. St. Peter, Cornhill.
2. St. Michael, Cornhill.

VIII. LANGBORNE.
1. St. Gabriel, Fenchurch.
2. St. Dionis Backchurch.
3. Allhallows, Lombard St.
4. St. Edmond, Lombard St.
5. Allhallows, Staining.
6. St. Nicholas Acon.
7. St. Mary Wolnoth.

IX. BILLINGSGATE.
1. St. Botolph, Billingsgate.
2. St. Mary Hill.
3. St. Margaret Pattens.
4. St. Andrew Hubert.
5. St. George, Botolph Lane.

X. BRIDGE.
1. St. Magnus.
2. St. Margaret, Bridge St.
3. St. Leonard Milkchurch.
4. St. Benet Gracechurch.

XI. CANDLEWICK STREET.
1. St. Clement, Eastcheap.
2. St. Mary Abchurch.
3. St. Michael, Crooked Lane.
4. St. Martin Orgar.
5. St. Lawrence Pountney.

XII. WALBROOK.
1. St. Swithun.
2. St. Mary Woolchurch.
3. St. Stephen, Walbrook.
4. St. John, Walbrook.
5. St. Mary Bothaw.

XIII. DOWGATE.
1. Allhallows Haywharf, or the Great.
2. Allhallows the Less.

XIV. VINTRY.
1. St. Michael Paternoster.
2. St. Thomas the Apostle.
3. St. Martin Vintry.
4. St. James, Garlickhithe.

XV. CORDWAINER STREET.
1. St. Anthony, Budge Row.
2. St. Mary Aldermary.
3. St. Mary-le-Bow.

XVI. CHEAP.
1. St. Benet Shorhog or St. Sythe.
2. St. Pancras.
3. St. Mildred, Poultry.
4. St. Mary Colechurch.
5. St. Martin Pomery.
6. Allhallows, Honey Lane.
7. St. Lawrence, Jewry.

XVII. COLEMAN STREET.
1. St. Olave, Jewry.
2. St. Margaret, Lothbury.
3. St. Stephen, Coleman St.

XVIII. BASINGHALL.
1. St. Michael, Basinghall.

XIX. CRIPPLEGATE.
1. St. Mary Aldermanbury.
2. St. Mary Magdalen, Milk St.
3. St. Alban, Wood St.
4. St. Michael, Hoggen Lane.
5. St. Giles, Cripplegate.

XX. ALDERSGATE.
1. St. John Zachary.
2. St. Mary, Staining.
3. St. Olave, Silver St.
4. St. Leonard, Foster Lane.
5. St. Anne in the Willows.
6. St. Botolph, Aldersgate.

XXI. FARRINGDON WITHIN.
1. St. Peter, Cheap.
2. St. Fauster or Vedast.
3. St. Nicholas Shambles.
4. St. Ewen.
5. St. Mathew, Friday St.
6. St. Augustine, Paul's Gate.
7. St. Martin, Ludgate.
8. St. Michael le Querne.

XXII. BREAD STREET.
1. Allhallows, Bread St.
2. St. Mildred, Bread St.
3. St. John Evangelist.
4. St. Margaret Moses.

XXIII. QUEENHITHE.
1. Trinity the Less.
2. St. Nicholas Coleabbey
3. St. Nicholas Olave.
4. St. Mary Mounthaut.
5. St. Michael, Queenhithe.
6. St. Mary Somerset.
7. St. Peter, Paul's Wharf.

XXIV. CASTLE BAYNARD.
1. St. Benet Hithe.
2. St. Andrew in the Wardrobe.
3. St. Mary Magdalen, Old Fish St
4. St. Gregory by St. Paul's.

XXV. FARRINGDON WITHOUT.
1. St. Sepulchre.
2. St. Andrew, Holborn.
3. St. Dunstan-in-the-West.
4. St. Bride, Fleet St.

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